

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 16-cv-00393-GPG

(The above civil action number must appear on all future papers sent to the court in this action. Failure to include this number may result in a delay in the consideration of your claims.)

DIAN LOU STAUTER,

Plaintiff,

v.

STATE OF COLORADO, et al.,

Defendants.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCY

Plaintiff has filed *pro se* a document titled “Affidavit of Obligation Commercial Lien” (ECF No. 1) and an Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form) (ECF No. 3). As part of the court’s review pursuant to D.C.COLO.LCivR 8.1(a), the court has determined that the documents are deficient as described in this order. Plaintiff will be directed to cure the following if she wishes to pursue her claims in this action. Plaintiff is advised that, to the extent she may be asserting claims on behalf of her son as his next friend, she may not do so unless she is represented by counsel. See *Meeker v. Kercher*, 782 F.2d 153, 154 (10th Cir. 1986) (*per curiam*). Any papers that Plaintiff files in response to this order must include the civil action number on this order.

28 U.S.C. § 1915 Motion and Affidavit:

- (1) _____ is not submitted
- (2) _____ is missing affidavit
- (3) _____ is missing certified copy of prisoner’s trust fund statement for the 6-month

- period immediately preceding this filing
- (4) ___ is missing certificate showing current balance in prison account
 - (5) ___ is missing required financial information
 - (6) ___ is missing authorization to calculate and disburse filing fee payments
 - (7) ___ is missing an original signature
 - (8) ___ is not on proper form
 - (9) ___ names in caption do not match names in caption of complaint, petition or habeas application
 - (10) ___ other: _____.

Complaint, Petition or Application:

- (11) xx is not submitted
- (12) ___ is not on proper form
- (13) ___ is missing an original signature by the prisoner
- (14) ___ is missing page nos. _____
- (15) ___ uses et al. instead of listing all parties in caption
- (16) ___ names in caption do not match names in text
- (17) ___ addresses must be provided for all defendants/respondents in "Section A. Parties" of complaint, petition or habeas application
- (18) ___ other: _____.

Accordingly, it is

ORDERED that Plaintiff cure the deficiency designated above **within thirty (30) days from the date of this order**. Any papers that Plaintiff files in response to this order must include the civil action number on this order. It is

FURTHER ORDERED that Plaintiff shall obtain the court-approved Complaint form, along with the applicable instructions, at www.cod.uscourts.gov. It is

FURTHER ORDERED that, if Plaintiff fails to cure the designated deficiency **within thirty (30) days from the date of this order**, the action will be dismissed without further notice. The dismissal shall be without prejudice.

DATED February 19, 2016, at Denver, Colorado.

BY THE COURT:

s/ Gordon P. Gallagher
United States Magistrate Judge