

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

Civil Action No. 16-cv-00649-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.)**

LEILA McCOY, and  
CLYDE McCOY II,

Plaintiffs,

v.

COLORADO CIVIL RIGHTS DIVISION, and  
RUFINA HERNANDEZ, In her Individual and Professional Capacity,

Defendants.

---

**ORDER DIRECTING PLAINTIFFS TO CURE DEFICIENCIES**

---

Plaintiffs Leila McCoy and Clyde McCoy currently reside in Colorado Springs, Colorado. On March 18, 2016, they submitted a Complaint, ECF No. 1, and Applications 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 submitted documents are deficient as described in this Order. Plaintiffs will be directed to cure the following if they wish to pursue their claims. Any papers that Plaintiffs file in response to this Order must include the civil action number on this Order.

**Application to Proceed in District Court Without Prepaying Fees or Costs:**

- (1) \_\_\_ is not submitted
- (2) \_\_\_ is not on proper form (must use the current Court-approved form)
- (3) \_\_\_ is missing original signature by Plaintiff
- (4) \_\_\_ is missing affidavit
- (5) \_\_\_ affidavit is incomplete
- (6) \_\_\_ affidavit is not properly notarized
- (7) \_\_\_ names in caption for Leila McCoy's application does not match the names in

- caption of complaint  
(8) X other: The applications are identical. Plaintiffs are using the same information for both applications. Specifically, the information in Section One is either incorrectly stated in Plaintiff Leila McCoy's Application or in Plaintiff Clyde McCoy's form. Plaintiffs have both submitted the same application, which is unacceptable.

**Complaint or Petition:**

- (9) \_\_\_ is not submitted  
(10) \_\_\_ is not on proper form (must use the Court's current form)  
(11) x is missing an original signature by Plaintiff Clyde McCoy  
(12) \_\_\_ is incomplete  
(13) \_\_\_ uses et al. instead of listing all parties in caption  
(14) \_\_\_ names in caption do not match names in text of Complaint  
(15) \_\_\_ addresses must be provided for all defendants/respondents in "Section A. Parties" of complaint, petition or habeas application  
(16) \_\_\_ other:

Accordingly, it is

ORDERED that Plaintiffs cure the deficiencies designated above **within thirty days from the date of this Order**. Any papers that Plaintiffs file in response to this Order must include the civil action number on this Order. It is

FURTHER ORDERED that Plaintiffs shall obtain the Court-approved form used in filing an Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form), along with the applicable instructions, at [www.cod.uscourts.gov](http://www.cod.uscourts.gov), and use the forms to cure the above noted deficiencies. It is

FURTHER ORDERED that if Plaintiffs fail to cure the designated deficiencies **within thirty days from the date of this Order** the action will be dismissed without further notice.

DATED April 1, 2016, at Denver, Colorado.

BY THE COURT:

s/Gordon P. Gallagher  
United States Magistrate Judge