

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

Civil Action No. 16-cv-00865-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.)**

BRUCE EDWARD PETERSON,

Applicant,

v.

DR. CREANY,  
DR. BEDDY,  
DR. TESSIER,  
R. N. RICK MEICER,  
F.N.U. WEINHIMER,  
WARDEN LOU ARCHULETA,  
JOHN DOE, and  
DR. MILLER,

Respondents.

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**ORDER DIRECTING APPLICANT TO CURE DEFICIENCY**

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Applicant, a prisoner in the custody of the Colorado Department of Corrections, has submitted to the court *pro se* a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action (ECF No. 1). Although it is not clear that Applicant intends to assert any habeas corpus claims, the instant action has been commenced. As part of the court's review pursuant to D.C.COLO.LCivR 8.1(b), the court has determined the motion is deficient as described in this order. Applicant will be directed to cure the following if he wishes to pursue any claims in this action. If Applicant does not intend to pursue any habeas corpus claims in this court at this time, he

should advise the court of that fact and the instant action will be dismissed. Any papers that Applicant 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 by the prisoner
- (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)  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 Applicant cure the deficiency designated above **within thirty (30) days from the date of this order.** Any papers that Applicant files in response to this order must include the civil action number on this order. It is

FURTHER ORDERED that Applicant shall obtain the court-approved habeas corpus application form (with the assistance of his case manager or the facility's legal assistant), along with the applicable instructions, at [www.cod.uscourts.gov](http://www.cod.uscourts.gov). It is

FURTHER ORDERED that, if Applicant 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 April 15, 2016, at Denver, Colorado.

BY THE COURT:

s/ Gordon P. Gallagher  
United States Magistrate Judge