

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

Civil Action No. 16-cv-00897-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.)

ANTHONY T. JONES,

Petitioner,

v.

RONALD HALE, Superintendent, Institute of Mental Health in Pueblo,

Respondent.

ORDER DIRECTING PETITIONER TO CURE DEFICIENCIES

Petitioner Anthony T. Jones, who is in the custody of the Colorado Mental Health Institute in Pueblo, Colorado, has submitted to the court an Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 (ECF No. 1) and a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action (ECF No. 2). As part of the court's review pursuant to D.C.COLO.LCivR 8.1(b), the court has determined that the Motion is deficient as described in this order. Petitioner is directed to cure the following if he wishes to pursue any claims in this action. Any papers that Petitioner files in response to this order must be labeled with the civil action number identified 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) XX is missing certificate showing current balance in prison account (“You must attach to th[e] motion and affidavit a certificate of the warden or other appropriate officer of the institution in which you are confined as to the amount of money or securities currently on deposit in your inmate trust fund account (or institutional equivalent).”)
- (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 (must use the court’s current form)
- (9) ___ names in caption do not match names in caption of complaint, petition or habeas application
- (10) XX other: motion and supporting documents are necessary only if \$5.00 filing fee is not paid in advance.

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 Petitioner cure the deficiencies designated above **within thirty (30) days from the date of this order.** Any papers that Petitioner files in response to this order must be labeled with the civil action number identified on this order. It is

FURTHER ORDERED that Petitioner shall obtain the court-approved form Prisoner’s Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 in a Habeas Corpus Action (with the assistance of his case manager or the facility’s legal assistant), along with the applicable instructions, at www.cod.uscourts.gov. It is

FURTHER ORDERED that, if Petitioner fails to cure all of the designated deficiencies **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 22, 2016, at Denver, Colorado.

BY THE COURT:

s/ Gordon P. Gallagher
United States Magistrate Judge