

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

SERGIO T. JAMES,

Petitioner,

vs.

No. CV 17-00360 JCH/KBM

RAYMOND SMITH, WARDEN,

Respondent.

ORDER TO CURE DEFICIENCIES

Petitioner Sergio T. James has filed a habeas corpus proceeding pursuant to 28 U.S.C. § 2254. (Doc. 1). Petitioner has also filed a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 seeking leave to proceed without prepayment of fees or costs. (Doc. 2). The Court has determined that the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 is deficient in that it is not signed by Petitioner James and does not include the certified copy of Petitioner's six-month inmate account statement as required by § 1915(a)(2). Petitioner James will have thirty (30) days from the date of entry of this Order to cure these deficiencies. If Petitioner does not cure the deficiencies within thirty days, the Court may dismiss this proceeding without further notice.

IT IS ORDERED that Petitioner Sergio T. James is directed, within thirty (30) days of entry of this Order, to:

- (1) file a Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 containing his original signature under penalty of perjury; and
- (2) submit a certified copy of his six-month inmate account statement as required by 28 U.S.C. § 1915(a)(2).


UNITED STATES CHIEF MAGISTRATE JUDGE