

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 21-cv-01320-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.)

OLIVIA BALLAGE,

Plaintiff,

v.

HOPE & HOME,

Defendant.

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCIES

Plaintiff Olivia Ballage resides in Colorado Springs, Colorado. Plaintiff has filed *pro se* an *Employment Discrimination Complaint* and part of an *Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)* (ECF Nos. 1, 3).¹

Accordingly, this civil action was opened.

As part of the Court's review pursuant to D.C.COLO.LCivR 8.1(a), the Court has determined that one or more filings is deficient (or not submitted) as described in this order. Plaintiff will be directed to cure the following to pursue any claims in this action. Any papers that Plaintiff files in response to this order must include the civil action number on this order.

¹ "(ECF No. 1)" is an example of the convention used to identify the docket number assigned to a specific filing by the court's Case Management/Electronic Case Files (CM/ECF) system. The convention is used throughout 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 (Page 1 of the court-approved form, which includes the signature line, has not been submitted)
- (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) other: Instead of filing a fully completed Application to Proceed in District Court Without Prepaying Fees and Costs (Long Form), Plaintiff may pay the \$402.00 filing fee 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 parties
- (18) other:

Plaintiff may contact the Federal Pro Se Clinic at (303) 380-8786 or

<https://www.cobar.org/cofederalproseclinic> for possible assistance in this matter. The

Federal Pro Se Clinic is located on the first floor of the Alfred A. Arraj United States Courthouse, 901 19th Street, Denver, Colorado 80294.

Accordingly, it is

ORDERED that Plaintiff cure the deficiencies 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 and file the first page of the

court-approved Application for Leave to Proceed in District Court Without Prepaying Fees or Costs (Long Form) at www.cod.uscourts.gov. Plaintiff may pay the \$402.00 filing fee instead of submitting the missing page of the Application for Leave to Proceed in District Court Without Prepaying Fees or Costs (Long Form). It is

FURTHER ORDERED that, if Plaintiff fails to cure all 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. However, Plaintiff is warned that, even if the action is dismissed without prejudice, the dismissal may act as a dismissal with prejudice if the time for filing expires. See *Rodriguez v. Colorado*, 521 F. App'x 670, 671-72 (10th Cir. 2013) (unpublished).

DATED May 14, 2021.

BY THE COURT:

s/ Gordon P. Gallagher
United States Magistrate Judge