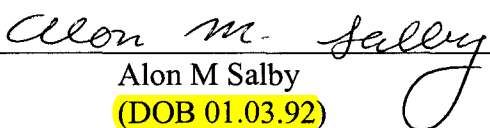


11 - CV - 00068

| | |
|--|---|
| <p>US DISTRICT COURT, District of Colorado 901 19th Street Denver Colorado 80294</p> <hr/> <p>Plaintiff: Alon M Salby 20/22 Abbott Street Sandringham VIC AUSTRALIA</p> <p>Defendant: The State of Colorado and its Agents.</p> <hr/> | <p>FILED UNITED STATES DISTRICT COURT DENVER, COLORADO</p> <p>JAN 10 2011</p> <p>GREGORY C. LANGHAM CLERK</p> <hr/> <p>^ Court Use Only ^</p> <hr/> |
| <p>MOTION FOR EXTENSION TO FILE COMPLAINT</p> | |

1. I am 18 years of age, a citizen of the US and prior resident of the State of Colorado.
2. During my childhood, I was subjected to chronic emotional and physical abuse.
3. Those circumstances damaged my emotional and intellectual development, depriving me of a secure and normal childhood.
4. They resulted from the overt negligence of the State of Colorado and its agents, parties who held responsibility for my welfare as a child.
5. Those parties benefited from the proceedings, at my expense.
6. The proceedings denied my rights to security, due process, and to own property.
7. Having attained legal age, I wish to exercise my right to redress.
8. I now reside overseas, where I have limited access to legal support.
9. Having limited resources, attempts to engage legal representation from overseas have been unsuccessful.

10. I request that the period to file a complaint on these matters be extended, until I can engage legal representation or return to the US, where I would have access to legal resources.


Alon M Salby
(DOB 01.03.92)

Date 28/3/11 on p.15 shows dates written in dd.mm.yy format. If 01 March 1992 is correct Date of Birth, and if Murry took his son to Australia in February 2008, then he did so before his son's 16th birthday.

Under some circumstances, that might be a problem:

http://travel.state.gov/abduction/abduction_580.html

http://travel.state.gov/abduction/solutions/hagueconvention/hagueconvention_3854.html

Alon Salby deserves a lot of sympathy. It is unclear if this lawsuit was really his idea, as this seems a slightly odd thing for an 18-year-old student living in Australia (near Melbourne at the time) to pursue.

CERTIFICATE OF MAILING

I certify that on December 28, 2010, I placed the original this MOTION FOR EXTENSION in the Australia Post, with international postage, addressed to the court, and a copy addressed to:

State of Colorado
Attorney General
1525 Sherman St
Denver Colorado 80203

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

Civil Action No. 11-cv-00068-BNB

(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.)

ALON M. SALBY,

Plaintiff,

v.

THE STATE OF COLORADO, and its agents,

Defendant.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JAN 14 2011

GREGORY C. LANGHAM
CLERK

ORDER DIRECTING PLAINTIFF TO CURE DEFICIENCY

Plaintiff has submitted a document titled "Motion for Extension to File Complaint."

As part of the court's review pursuant to D.C.COLO.LCivR 8.1, the court has determined that the submitted document is deficient as described in this order. Plaintiff will be directed to cure the following if he wishes to pursue his claims. Any papers which the Plaintiff files in response to this order must include the civil action number on this order.

Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915:

- (1) X is not submitted
- (2) is not on proper form (must use the court's current form)
- (3) is missing original signature by Plaintiff
- (4) is missing affidavit
- (5) affidavit is incomplete
- (6) affidavit is not notarized or is not properly notarized
- (7) names in caption do not match names in caption of complaint, petition or application
- (8) An original and a copy have not been received by the court.

- Only an original has been received.
(9) X other: Motion is necessary only if \$350.00 filing fee is not paid in advance.

Complaint or Petition:

- (10) X is not submitted
(11) — is not on proper form (must use the court's current form)
(12) — is missing an original signature by the Plaintiff
(13) — is incomplete
(14) — uses et al. instead of listing all parties in caption
(15) — An original and a copy have not been received by the court. Only an original has been received.
(16) — Sufficient copies to serve each defendant/respondent have not been received by the court.
(17) — names in caption do not match names in text
(18) — other _____

Accordingly, it is

ORDERED that the Plaintiff cure the deficiencies designated above **within thirty (30) days from the date of this order**. Any papers which the Plaintiff files in response to this order must include the civil action number on this order. It is

FURTHER ORDERED that the clerk of the court mail to the Plaintiff, together with a copy of this order, copies of the following forms: Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and a Complaint. It is

FURTHER ORDERED that, if the Plaintiff fails to cure 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 January 14, 2011, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 11-cv-00068-BNB

Alon M. Salby
20/22 Abbott Street
Sandringham, VIC - AUSTRALIA

I hereby certify that I have mailed a copy of the **ORDER and two copies of the Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and Complaint forms** to the above-named individuals on January 14, 2011.

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-00068-BNB

ALON M. SALBY,

Plaintiff,

v.

THE STATE OF COLORADO, and its agents,

Defendant.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO
FEB 23 2011
GREGORY C. LANGHAM
CLERK

ORDER OF DISMISSAL

Plaintiff, Alon M. Salby, initiated this action by filing a *pro se* "Motion for Extension to File Complaint," with the Court on January 10, 2011.

In an order filed on January 14, 2011, Magistrate Judge Boyd N. Boland ordered Mr. Salby to cure certain enumerated deficiencies in this case within thirty days. Specifically, Mr. Salby was directed to submit a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and a Complaint on the court-approved form. The January 14 order warned Mr. Salby that if he failed to cure the designated deficiencies within the time allowed, the action would be dismissed without further notice.

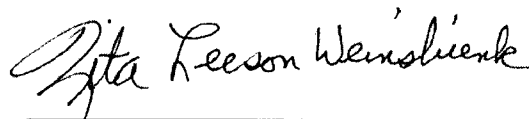
Mr. Salby has not communicated with the Court since January 10, 2011. Further, no mail has been returned to the Court as undeliverable. Mr. Salby has failed to file a Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 and a Complaint as directed by the January 14 Order. Therefore, Mr. Salby has failed within the time allowed to cure the designated deficiencies. Accordingly, it is

ORDERED that the action is dismissed without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for the failure of Plaintiff, Alon M. Salby, to comply with the order to cure dated January 14, 2011. It is

FURTHER ORDERED that all pending motions are denied as moot.

DATED at Denver, Colorado, this 22nd day of February, 2011.

BY THE COURT:

A handwritten signature in black ink, reading "Zita Leeson Weinsienk". The signature is written in a cursive style with a horizontal line underneath the name.

ZITA LEESON WEINSHIENK, Senior Judge
United States District Court

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 11-cv-00068-BNB

Alon M. Salby
20/22 Abbott Street
Sandringham, VIC - AUSTRALIA

I hereby certify that I have mailed a copy of the **ORDER AND JUDGMENT** to the above-named individuals on February 23, 2011.

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-00068-ZLW

ALON M. SALBY,

Plaintiff,

v.

THE STATE OF COLORADO, and its agents,

Defendant.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

FEB 23 2011

GREGORY C. LANGHAM
CLERK

JUDGMENT

Pursuant to and in accordance with the Order of Dismissal entered by the Court on February 23, 2011, it is hereby

ORDERED that Judgment is entered in favor of Defendant and against Plaintiff.

DATED at Denver, Colorado, this 23rd day of February, 2011.

FOR THE COURT,

GREGORY C. LANGHAM, Clerk

By: 
Deputy Clerk

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

APR 04 2011

GREGORY C. LANGHAM
CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11 - CV - 00068 - BNB
(To be supplied by the court)

Alon M. Salby, Plaintiff,

v.

State of Colorado,

and its Agents,

_____ ,

_____ ,

_____ ,

_____ ,

_____ ,

_____ , Defendant(s).

(List each named defendant on a separate line.)

COMPLAINT

PARTIES

1. Plaintiff Alon Salsy is a citizen of Colorado
 who presently resides at the following address:
20/22 Abbott Street, Sandringham VIC, Australia
2. Defendant State of Colorado is a citizen of Colorado
 who live(s) at or is/are located at the following address:
1525 Sherman Street, Denver CO
3. Defendant _____ is a citizen of _____
 who live(s) at or is/are located at the following address:

(Attach a separate page, if necessary, to list additional parties.)

JURISDICTION

4. Jurisdiction is asserted pursuant to following statutory authorities:
US Constitution, Bill of Rights
In re Gault, USC
5. Briefly state the background of your case: As described in
attached motion.

**FIRST CLAIM FOR RELIEF
AND SUPPORTING FACTUAL ALLEGATIONS**
(Please number your paragraphs and attach any necessary additional pages.)

**SECOND CLAIM FOR RELIEF
AND SUPPORTING FACTUAL ALLEGATIONS**

(Please number your paragraphs and attach any necessary additional pages.)

**THIRD CLAIM FOR RELIEF
AND SUPPORTING FACTUAL ALLEGATIONS**
(Please number your paragraphs and attach any necessary additional pages.)

REQUEST FOR RELIEF

Plaintiff requests the following relief:

- 1. This court's order of Jan 14, 2011 did not reach me for a month after it was issued. It could hardly be returned within the cosmetic 30 days provided.¹
- 2. As described in my motion of Dec 28, 2011, I do not have access to legal resources. I am a full-time student, so do not have financial resources.
- 3. I wish to pursue redress on the matters described in the above motion.
- 4. I request that the period of time to complete the complaint on those matters be extended until I can engage suitable representation, or return to the US, where I would have access to legal resources.

Date: 28/3/11

Alan M. Kelly
(Plaintiff's Original Signature)

20/22 Abbott Street
(Street Address)

Sandringham, VIC, AUSTRALIA
(City, State, ZIP)

(Telephone Number)

¹ Attempts to obtain suitable representation from overseas, required by the other form sent by this court, were unsuccessful.

Alan M. Kelly
B.A., B.S., M.A., J.D. (1987)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

Civil Action No. 11 CV - 00068 - BNB

APR 04 2011

Alon M. Salby,
Plaintiff(s),

GREGORY C. LANGHAM
CLERK

v.

State of Colorado, and its Agents
Defendant(s).

MOTION AND AFFIDAVIT FOR LEAVE TO PROCEED
PURSUANT TO 28 U.S.C. § 1915

I request leave to commence this civil action without prepayment of fees or security therefor pursuant to 28 U.S.C. § 1915. I do ___ do not X (check one) request that the court direct the United States Marshals Service to serve process. In support of my requests, I submit the following affidavit and state that:

- (1) I am unable to pay such fees or give security therefor.
- (2) The nature of this action is: for damage to my emotional and intellectual development, through denial of my rights to security, due
- (3) I am entitled to redress. process, and to own property.

I further state that the responses I have made to the questions below relating to my ability to pay the cost of prosecuting this action and other matters are true:

MARITAL STATUS AND DEPENDENTS

Single X Married ___ Separated ___ Divorced ___

The following individuals are my dependents (Identify minor children by their initials only. Do not include their date of birth.):

| | | |
|------------|-----------|--------------------|
| Name _____ | Age _____ | Relationship _____ |
| Name _____ | Age _____ | Relationship _____ |
| Name _____ | Age _____ | Relationship _____ |
| Name _____ | Age _____ | Relationship _____ |

RESIDENCE

Street Address: 2011 Abbott Street

City: Sandringham State: VI

Zip Code: _____ Telephone: _____

EDUCATION

What is the highest level of formal education you have received: High School
I can speak, read, write, and understand the English language: Yes X No

EMPLOYMENT

If employed at present, complete the following:

Name of employer: _____
Address of employer: _____
Telephone number of employer: _____
How long have you been employed by present employer: _____
Income: Monthly \$ _____ Weekly \$ _____

If self-employed, state your net income: Monthly \$ _____ Weekly \$ _____
What is the nature of your self-employment? _____

If unemployed at present, complete the following:

I have been unemployed since: Birth
Name of last employer: _____
Address of last employer: _____
Telephone number of last employer: _____
Salary or hourly wage received from last employer: \$ _____

If spouse is employed, complete the following:

Name of employer: _____
How long has spouse been employed by present employer: _____
Income: Monthly \$ _____ Weekly \$ _____

If receiving public assistance (e.g., welfare, unemployment benefits), complete the following:

I have been receiving public assistance since: _____
Monthly benefits: \$ _____ Weekly benefits: \$ _____

REAL AND PERSONAL PROPERTY

Real property:

Do you own real property? Yes X No

If yes, describe: Bed, Xbox

Address: _____

Name(s) on title: N/A

Estimated value: \$ 200 Amount owed: \$ _____

Annual income from real property: \$ _____

Personal property:

Automobile: Make: _____ Model: _____ Year: _____

Name(s) on registration: _____

Estimated value: \$ _____ Amount owed: \$ _____

Cash on hand:

Total amount of cash in banks and savings and loan associations: \$ _____

Names and addresses of banks and associations: _____

Other information pertinent to financial status: (Include stocks, bonds, savings bonds, interests in trusts either owned or jointly owned):

FINANCIAL OBLIGATIONS:

Rent on house or apartment: _____

Mortgage on house: _____

Gas bill: _____

Electric bill: _____

Telephone bill: _____

Food: _____

Clothing: _____

Automobile loan: _____

Automobile insurance: _____

Other insurance: _____

Payments to retail merchants: _____

Total owed: _____

Payments on any other outstanding loans or debts: _____

Total owed: _____

Payments to doctors, hospitals, lawyers: _____

Total owed: _____

Maintenance under separation or dissolution agreement: _____

Child support: _____

Other Payments: _____

Describe: _____

Describe: _____

Describe: _____

Describe: _____

Total monthly payments: _____

MONTHLY PAYMENT:

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

ATTEMPTS TO LOCATE COUNSEL

Please list the name, address, and telephone number of each attorney you have contacted requesting representation in this matter. The court encourages you to contact a minimum of three attorneys.

| | | | |
|-----------------|-----------------------|-----------------|--------------|
| Attorney: | <u>Stanley Thorne</u> | Date Contacted: | <u>11/10</u> |
| Street Address: | <u>J</u> | | |
| City: | <u>Amarillo</u> | State: | <u>TX</u> |
| Zip Code: | | Telephone: | |

| | | | |
|-----------------|-------------------|-----------------|---------------------|
| Attorney: | <u>J. Svoboda</u> | Date Contacted: | |
| Street Address: | | | |
| City: | <u>Berkley</u> | State: | <u>CA</u> |
| Zip Code: | | Telephone: | <u>510-595-5550</u> |

| | | | |
|-----------------|------------------|-----------------|---------------------|
| Attorney: | <u>J. Leving</u> | Date Contacted: | |
| Street Address: | | | |
| City: | <u>Chicago</u> | State: | <u>IL</u> |
| Zip Code: | | Telephone: | <u>312-807-3990</u> |

| | | | |
|-----------------|--------------------|-----------------|---------------|
| Attorney: | <u>ACLU</u> | Date Contacted: | |
| Street Address: | <u>PO Box 3410</u> | | |
| City: | <u>Honolulu</u> | State: | <u>Hawaii</u> |
| Zip Code: | | Telephone: | |

| | | | |
|-----------------|--|-----------------|--|
| Attorney: | | Date Contacted: | |
| Street Address: | | | |
| City: | | State: | |
| Zip Code: | | Telephone: | |

Date: 28/3/11

Alan M. Foley
(Plaintiff's Original Signature)

Subscribed and sworn to before me this 28th day of March, 2011.

Michael J. ... (JP 128755)
(Notary Public)
5103/PS 201-205 PACIFIC TRAIL
(Address) UTLEONARDU 2065

My commission expires: _____

| | | |
|---|---|---|
| US DISTRICT COURT, District of Colorado 901 19 th Street Denver Colorado 80294 | | FILED UNITED STATES DISTRICT COURT DENVER, COLORADO APR 04 2011 GREGORY C. LANGHAM CLERK ^ Court Use Only ^ |
| Plaintiff: | Alon M Salby 20/22 Abbott Street Sandringham VIC AUSTRALIA | |
| Defendant: | The State of Colorado and its Agents. | |
| MOTION FOR EXTENSION TO FILE COMPLAINT | | |

1. I am 18 years of age, a citizen of the US and prior resident of the State of Colorado.
2. During my childhood, I was subjected to chronic emotional and physical abuse.
3. Those circumstances damaged my emotional and intellectual development, depriving me of a secure and normal childhood.
4. They resulted from the overt negligence of the State of Colorado and its agents, parties who held responsibility for my welfare as a child.
5. Those parties benefited from the proceedings, at my expense.
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10. I request that the period to file a complaint on these matters be extended, until I can engage legal representation or return to the US, where I would have access to legal resources.

Alon M. Salby
Alon M Salby
(DOB 01.03.92)

CERTIFICATE OF MAILING

I certify that on December 28, 2010, I placed the original this MOTION FOR EXTENSION in the Australia Post, with international postage, addressed to the court, and a copy addressed to:

State of Colorado
Attorney General
1525 Sherman St
Denver Colorado 80203

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-00068-ZLW

ALON M. SALBY,

Plaintiff,

v.

THE STATE OF COLORADO, and its agents,

Defendant.

MINUTE ORDER

ORDER ENTERED BY SENIOR JUDGE LEWIS T. BABCOCK

Plaintiff's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 (Doc. # 6) and Motion for Extension of Time to File Complaint (Doc. # 7) are DENIED as moot. This case was dismissed and judgment entered on February 23, 2011.

Dated: April 5, 2011
