

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

SILAS MARTIN, #145609

*

Plaintiff,

*

v.

*

2:06-CV-490-WKW
(WO)

WARDEN ARNOLD HOLT, *et al.*,

*

Defendants.

*

ORDER

This case is presently pending before the court on a complaint filed by Silas Martin (“Martin”), an inmate incarcerated at the Bullock Correctional Facility. A thorough review of this complaint indicates that although Martin lists nine defendants to this cause of action, the complaint merely contains general conclusions of a constitutional violation and fails to identify factual allegations material to specific counts lodged against the named defendants with respect to any violations of Martin's constitutional rights.

“This type of pleading completely disregards Rule 10(b)'s requirement that discrete claims should be plead in separate counts, *see Anderson v. Dist. Bd. of Tr.*, 77 F.3d 364-366-67 (11th Cir. 1996), and is the type of complaint that [has been] criticized time and again.” *Magluta v. Samples*, 256 F.3d 1282, 1284 (11th Cir. 2001). Accordingly, the court deems it appropriate to require Martin to amend his complaint to correct the deficiencies

noted herein.

Accordingly, it is

ORDERED that on or before **June 29, 2006** Plaintiff shall amend his complaint to provide the following additional factual information:

1. Identify specific claims relative to *actions taken against him* by *each* of the named defendants and list these claims in separate counts;
2. Describe with clarity those factual allegations that are material to each specific count against each named defendant(s);
3. Specifically state the date(s) on which the alleged constitutional violation(s) occurred; and
4. Describe how each named defendant violated *his* constitutional rights.

Martin is hereby advised that the amendment to his complaint must set forth short and plain statements showing why he is entitled to relief and be specific enough to put each defendant on notice of how their conduct allegedly violated his constitutional rights. The amended complaint should contain only claims relative to actions taken against Martin by the named defendants. Each allegation in the pleading should be simple, concise and direct. *See Rule 8, Federal Rules of Civil Procedure.* Martin is further advised that his failure to timely and properly comply with the directives contained in this order will result in a Recommendation that this action be dismissed.

DONE, this 19th day of June, 2006.

/s/ Susan Russ Walker
SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE