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

KENNETH WAYNE HENDRIX, AIS #208777,	)	
Plaintiff,	)	
v.	)	CIVIL ACTION NO. 2:10-CV-183-ID [WO]
J. C. GILES, et al.,	)	
Defendants.	)	

ORDER ON MOTION

Upon consideration of the motion to amend complaint filed by the plaintiff on April 20, 2010 (Court Doc. No. 6), and as the incident the plaintiff seeks to amend is separate from the incident about which he complains in the initial complaint, it is

ORDERED that the motion to amend be and is hereby DENIED.

The plaintiff is advised that he may challenge the April 5, 2010 incident referenced in the instant motion to amend by filing a separate 42 U.S.C. § 1983 action. To aid the plaintiff in filing such an action, the Clerk is DIRECTED to return to the plaintiff the proposed amendment to the complaint (Court Doc. No. 6-2) and the application for leave to proceed *in forma pauperis* filed in support thereof (Court Doc. No. 6-3).

Done this 20th day of April, 2010.

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

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