

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

WILLIAM S. McLAURINE II,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 3:06CV1014-MEF
)	(WO)
CITY OF AUBURN, ALABAMA, et al.,)	
)	
Defendants.)	

ORDER

Upon review of the complaint filed by the *pro se* plaintiff in this civil rights action, the court concludes that the complaint must be amended before this action may proceed. Plaintiff has named seventeen defendants. Some of the defendants are identified in the complaint, but the complaint contains no allegations explaining what these defendants have allegedly done to give rise to a cause of action. With regard to other defendants, the plaintiff's allegations are conclusory statements of law which do not include factual detail sufficient to demonstrate that plaintiff is entitled to relief. In order to proceed in this case, the court must know what it is that each defendant is alleged to have done in violation of the plaintiff's rights. Additionally, the defendants cannot be expected to respond to the complaint as presently framed. Accordingly, it is

ORDERED that plaintiff is DIRECTED to amend his complaint, **on or before November 27, 2006** to include facts in support of each of his claims and to present each claim for relief in a separate count. Each count must specifically identify the defendants

against whom it is brought and must specifically allege the conduct of each such defendant. Each count may include only one legal theory of relief, and must include the specific relief plaintiff seeks from each defendant under that count. Each count must contain all of the factual allegations – and only those factual allegations – which support that particular claim for relief and may not incorporate previous allegations by reference. Plaintiff is advised that if he fails to file an amended complaint as set forth above within the time allowed by the court, the undersigned Magistrate Judge may recommend dismissal of this action.

Additionally, it is

ORDERED that plaintiff's motion for appointment of counsel (included within his motion to proceed *in forma pauperis*) is DENIED without prejudice. The court will not consider appointment of counsel until after it has had an opportunity to examine the factual allegations of plaintiff's amended complaint. Plaintiff should know the facts on which his claims are based without the assistance of counsel.

DONE, this 16th day of November, 2006.

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