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

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George Abarah,

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No. CV-10-1539-PHX-DGC

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Plaintiff,

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ORDER

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vs.

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City of Scottsdale Police Department,

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Defendant.

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In an order dated December 9, 2010, the Court required Plaintiff to file a memorandum stating whether he intends to continue with the prosecution of this case. Doc. 28 at 2. The Court made clear that the Maricopa County Sheriff’s Office (MCSO), a non-jural entity, is not a defendant in this case. *Id.*; *see* Doc. 19 (granting motion to dismiss the MCSO).

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Plaintiff has filed a “motion to clarify list of defendants and response to order.” Doc. 29. The Court construes this filing a response to the order of December 9, 2010, and as a statement that Plaintiff intends to continue with the prosecution of this case.

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Plaintiff “moves to affirm that the MCSO is a codefendant in this suit” and also “moves to add Maricopa County to the suit . . . [and] the Maricopa County Board of Supervisors[.]” Doc. 29 at 5. The MCSO is a non-jural entity. It may not be sued. It is not a defendant in this suit.

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In an order dated October 18, 2010, the Court stated that “[i]f Plaintiff wishes to bring claims against Maricopa County itself or individual employees of the County, the Court will

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1 grant him leave to file an amended complaint. Plaintiff shall have until **November 5, 2010**
2 to file an amended complaint.” Doc. 19 at 2. Plaintiff did not meet this deadline. He filed
3 a “Response” on November 25, 2010 (Doc. 20), but the Court has made clear that it will not
4 treat that filing as an amended complaint (Doc. 28 at 2). The original complaint (Doc. 1) is
5 the operative complaint in this action, and the City of Scottsdale Police Department is the
6 lone Defendant. *See* Doc. 28 at 2.

7 **IT IS ORDERED:**

- 8 1. Plaintiff’s motion to clarify list of defendants (Doc. 29) is **denied** to the extent
9 he seeks to amend the original complaint (Doc. 1) to add defendants.
- 10 2. The original complaint (Doc. 1) is the operative complaint in this action. The
11 “Response” filed on November 25, 2010 (Doc. 20) does not constitute an
12 amended complaint.
- 13 3. The Maricopa County Sheriff’s Office has been **dismissed** as a defendant.
14 Docs. 19, 28.
- 15 4. The City of Scottsdale Police Department is the only Defendant in this case.

16 DATED this 20th day of December, 2010.

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21 David G. Campbell
22 United States District Judge
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