

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 06-cv-00759-LTB-CBS

MICHAEL WHITINGTON,  
Plaintiff,

v.

DON LAWSON,  
AL ESTEP,  
SGT. HARDING,  
SGT. OLSEN,  
C/O BARNES,  
LT. JOHN CORDOVA,  
LT. ADELMAN,  
SGT. KAUFFMAN,  
LT. LUCERO-CANNON,  
SGT. HUFF, and  
ARISTEDES ZAVARAS,  
Defendants.

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ORDER

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Magistrate Judge Craig B. Shaffer

This civil action comes before the court on Mr. Whittington's "Motion to Amend the Plaintiff's Prisoner Complaint" (filed May 1, 2009) (doc. # 173). Pursuant to the Order of Reference dated February 7, 2007 (doc. # 44) and the memorandum dated May 4, 2009 (doc. # 177), this matter was referred to the Magistrate Judge. The court has reviewed the matter, Defendants' Response (filed May 4, 2009) (doc. # 178), the entire case file, and the applicable law and is sufficiently advised in the premises. Defendants indicate that "they do not oppose Plaintiff's Motion to Amend provided Defendants can file a single responsive pleading to the latest Amended Complaint . . . within ten days . . . ." (See doc. # 178). Accordingly, IT IS ORDERED that:

1. Mr. Whittington's "Motion to Amend the Plaintiff's Prisoner Complaint" (filed May 1, 2009) (doc. # 173) is GRANTED.

2. Mr. Whittington's Third Amended Complaint (doc. # 173-2) is accepted for filing as of the date of this Order.

3. Defendants may answer or otherwise respond to the Third Amended Complaint on or before May 15, 2009.

4. The deadline for amendment of the pleadings having expired on April 30, 2009 (see Courtroom Minutes/Minute Order (doc. # 166)), **no further amendments will be permitted.**

DATED at Denver, Colorado, this 5th day of May, 2009.

BY THE COURT:

s/Craig B. Shaffer  
United States Magistrate Judge