

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00771-BNB

ULYSSES S. GRANT,

Plaintiff,

v.

DAVID M. BELLER, Adams County Public Defender, and  
ADAMS COUNTY DISTRICT ATTORNEY,

Defendants.

FILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

APR 26 2007

GREGORY C. LANGH/ CL

## MINUTE ORDER

## ORDER ENTERED BY MAGISTRATE JUDGE BOYD N. BOLAND

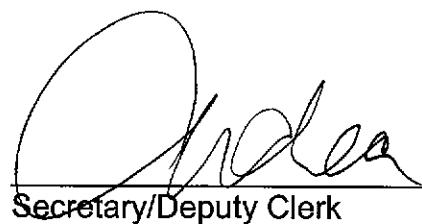
The issue before the Court is Plaintiff's "Motion to Amend Summons and Complaint" filed with the Court on April 26, 2007. In the Motion, Plaintiff asks to add Judge Moss as a party to the action. Prior to a responsive pleading being served, a Plaintiff may amend a complaint once as a matter of course pursuant to Fed. R. Civ. P. Rule 15(a). If Plaintiff desires to amend his Complaint and include additional parties he may do so. Plaintiff is reminded, however, that an amended complaint supersedes the original complaint. *See Balance v. Redman Homes, Inc.*, 759 F.2d 504, 508 (5<sup>th</sup> Cir. 1985); *Cameron v. Figwort*, 705 F.2d 676 (2<sup>d</sup> Cir. 1983); *London v. Coopers & Lybrand*, 644 F.2d 811 (9<sup>th</sup> Cir. 1981); 6 C. Wright, A. Miller & M. Kane, *Federal Practice and Procedure* § 1476 (1990). Therefore, the Motion will be denied as unnecessary.

The Amended Complaint must be submitted on a Court-approved form and must contain all claims, named parties, and requests for relief. Plaintiff shall have thirty days from the date of the instant Minute Order to file an Amended Complaint. If he fails to file an Amended Complaint within thirty days the Court will proceed to review the merits of the Complaint submitted to the Court on April 26, 2007. The Clerk of the Court is directed to send to Plaintiff two copies of the Prisoner Complaint form.

Dated: April 26, 2007

A copy of this **Minute Order and two copies of a Prisoner Complaint form** were mailed on April 26, 2007, to the following:

Ulysses S. Grant  
Prisoner No. 07-674  
ACDF  
150 N. 19<sup>th</sup> Ave.  
Brighton, CO 80601

  
Secretary/Deputy Clerk