

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 07-cv-01855-PAB-KMT

RICHARD REID,

Plaintiff,

v.

MR. R. WILEY, Warden Federal Bureau of Prisons,
Mr. M. MUKASEY, United States Attorney General, and
MR. H. WATTS, General Counsel Federal Bureau of Prisons,

Defendants.

ORDER

This matter is before the court on “Plaintiff’s Motion to Amend” (Doc. No. 129, filed March 30, 2009). It appears Plaintiff wants to amend his complaint to add additional claims and parties.

The Federal Rules of Civil Procedure provide that a party may amend a pleading by leave of court, and that leave shall be given freely when justice so requires. Fed. R. Civ. P. 15(a). Although the federal rules permit and require liberal construction and amendment of pleadings, the rules do not grant the parties unlimited rights of amendment. A motion to amend may be denied on the grounds of undue delay, bad faith or dilatory motive on the part of the movant, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, or futility of amendment. *Foman v. Davis*, 371 U.S. 178, 182 (1962).

When seeking leave of the court to amend a complaint, the motion to amend must detail the proposed amendments and the reasons why such amendments are necessary. In addition, the plaintiff must attach the proposed amended complaint to the motion. The proposed amended complaint must stand alone; it must contain all of the plaintiff's claims. Here, the plaintiff does not detail why the parties or claims he wishes to add are necessary, nor does he attach a proposed amended complaint to his motion. As a result, it is impossible to determine if the proposed amendment is permissible.

Furthermore, at the preliminary scheduling conference, the court set a deadline of December 1, 2009, by which the plaintiff could file a motion to amend his complaint. The present motion was filed four months past the deadline to file such a motion. Therefore, it is

ORDERED that Plaintiff's motion (#129) is DENIED.

Dated this 1st day of April, 2009.

BY THE COURT:



Kathleen M. Tafoya
United States Magistrate Judge