

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

Civil Action No. 08-cv-02228-MSK-KMT

MICHELLE FELIX,

Plaintiff,

v.

CITY AND COUNTY OF DENVER,

Defendant.

ORDER

This matter is before the court on review of Plaintiff's document entitled "Title I and Title V of the Americans With Disabilities Act, Title VII of the Civil Rights Act and 1rst and 14th Amendment Claims" (Doc. No. 16) filed January 12, 2009. This document appears to be an amended complaint. The record in this case shows plaintiff filed her first complaint on October 14, 2008 (Doc. No. 1), and an amended complaint on January 6, 2009 (Doc. No. 8).

Rule 15 states a party may amend its pleadings once as a matter of course before being served with a responsive pleading. Fed. R. Civ. P. 15(a)(1)(A). In all other cases, a party may amend its pleadings only with the opposing party's written consent or the court's written leave. Fed. R. Civ. P. 15(a)(2). Plaintiff filed her amended complaint on January 6, 2009, and Plaintiff did not seek leave of the court before filing the second amended complaint. Therefore, it is

ORDERED that “Title I and Title V of the Americans With Disabilities Act, Title VII of the Civil Rights Act and 1st and 14th Amendment Claims” (Doc. No. 16) STRICKEN.

Dated this 14th day of January, 2009.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kathleen M. Tafoya". The signature is written in a cursive style with a large, stylized initial 'K'.

Kathleen M. Tafoya
United States Magistrate Judge