

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 08-cv-02506-ZLW-BNB

EDWARD ALLEN,

Plaintiff,

v.

ARISTEDES ZAVARAS,
J. HASSENFRTZ,
MS. GRAHAM,
COLORADO DEPARTMENT OF CORRECTIONS, and
CORRECTIONS CORPORATION OF AMERICA,

Defendants.

ORDER

This matter arises on the plaintiff's **Motion for Permission to Amend** [Doc. #10, filed 12/24/2008] (the "Motion"). The Motion is DENIED WITHOUT PREJUDICE.

The plaintiff seeks to supplement his Complaint to add two claims. The plaintiff has attached a copy of the proposed claims to the Motion.

Rule 15 provides that a complaint may be amended once as a matter of course if a responsive pleading has not been served. Fed. R. Civ. P. 15(a)(1)(A). A responsive pleading has not yet been served in this case. Therefore, the plaintiff may amend his pleading as a matter of course. However, the plaintiff may not amend his Complaint by simply filing piecemeal amendments and supplements. Rather, he must file the entire proposed amended complaint. The plaintiff may not incorporate by reference his original Complaint into the amended complaint. The amended complaint must stand alone; it must contain all of the plaintiff's claims. Mink v.

Suthers, 482 F.3d 1244, 1254 (10th Cir. 2007) (stating that “an amended complaint supercedes an original complaint and renders the original complaint without legal effect”) (internal quotations and citations omitted). Accordingly,

IT IS ORDERED that the plaintiff’s Motion for Permission to Amend is DENIED WITHOUT PREJUDICE, subject to compliance with this Order.

Dated August 13, 2009.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge