

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

Civil Action No. 08-cv-02779-MSK-KMT

NAKIA PETTUS,

Plaintiff,

v.

UNITED STATES (sued in their individual and/or official capacities),  
U.S. BUREAU OF PRISONS (sued in their individual and/or official capacities), and  
SARA M. REVELL (warden) (sued in their individual and/or official capacities),

Defendants.

---

**ORDER**

---

This matter is before the court on Plaintiff's "Motion for an Extension of Time to File Amended Complaint" (Doc. No. 123) filed October 30, 2009.

At the Preliminary Scheduling Conference held on September 21, 2009, this court set the deadline for amending pleadings at November 5, 2009. (Doc. No. 112.) Plaintiff seeks an unspecified extension of time to amend his complaint, apparently to add claims related to alleged constitutional violations committed by unspecified defendants while he was detained in the Oklahoma Federal Detention Center sometime after September 14, 2009. (Doc. No. 123 at 2.)

Plaintiff filed his Amended Prisoner Complaint on March 12, 2009, and his Supplement to the Complaint on April 2, 2009. (Doc. Nos. 72, 76.) This court accepted the Supplement on June 4, 2009. (Doc. No. 95.) Plaintiff's Amended Complaint asserts eleven claims for relief and

285 paragraphs supporting those claims. The Supplement asserts an additional twenty-four paragraphs, apparently in support of some of Plaintiff's eleven originally-asserted claims. Plaintiff then sought to amend his complaint to add a retaliation claim, an improper classification claim, and additional paragraphs supporting his previously-asserted eleven claims. (Doc. No. 104, 104-2.) This court recommended Plaintiff's motion to amend be denied because it fails to satisfy the requirements of Fed. R. Civ. P. 8 and because the proposed amendments do not relate back under Fed. R. Civ. P. 15(c)(1)(B).

Based on the information provided by Plaintiff in his motion for extension of time, it appears Plaintiff again seeks to amend his complaint to add claims that do not relate back to any conduct, transaction, or occurrence set out in Plaintiff's operative complaint. *See* Fed. R. Civ. P. 15(c)(1)(B).

Accordingly, Plaintiff's "Motion for an Extension of Time to File Amended Complaint" (Doc. No. 123) is DENIED.

Dated this 2nd day of November, 2009.

**BY THE COURT:**



---

Kathleen M. Tafoya  
United States Magistrate Judge