

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch

Civil Action No. 09-cv-00121-RPM

DUANE WILLIAMS,

Plaintiff,

v.

CITY OF AURORA,
MICHAEL MINISINI, and
DOUGLAS WILKINSON,

Defendants,

ORDER DENYING PLAINTIFF'S MOTION TO AMEND COMPLAINT

On November 30, 2009, the plaintiff filed a Motion to Amend Complaint, seeking to add a claim for exemplary damages. In this court, exemplary damages may be awarded based upon the evidence without a formal amended complaint. No exemplary damages may be awarded against the City of Aurora under 42 U.S.C. § 1983. Because an amended complaint is not necessary in this case, it is

ORDERED that the plaintiff's Motion to Amend Complaint is denied.

Dated: December 29th, 2009

BY THE COURT:

s/Richard P. Matsch

Richard P. Matsch, Senior District Judge