

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

Civil Action No. 09-cv-00137-PAB-KMT

MR. JUAN RAMON MATTA LOPEZ,

Plaintiff,

v.

MR. R. WILEY,
MR. UNKNOWN KRIST,
MR. UNKNOWN SPROUL,
MS. KIM FLUCK, and
MR. W. HAYGOOD,

Defendants.

ORDER

This matter is before the court on review of Plaintiff's second "Amended Prisoner Complaint" filed June 30, 2009 (Doc. No. 21). The record in this case shows Plaintiff filed his first complaint on January 26, 2009 (Doc. No. 2), and his first amended complaint on June 3, 2009 (Doc. No. 15).

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). There is no record that the defendants in this case gave their written

consent for the filing of the second amended complaint, and Plaintiff did not seek leave of the court before filing it. Therefore, it is

ORDERED that Plaintiff's "Amended Prisoner Complaint" (# 21, filed June 30, 2009) is STRICKEN.

Dated this 8th day of July, 2009.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kathleen M. Tafoya", written in a cursive style.

Kathleen M. Tafoya
United States Magistrate Judge