

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

Civil Action No. 09-cv-00426-WYD-BNB

VINCENT GAGLIARDI,

Plaintiff,

v.

CITY MANAGER, NAME UNKNOWN,
CHIEF OF POLICE, CHARLES GLORIOSO,
OFFICER GABE VAZQUEZ,
OFFICER, ARCHIE VIGIL,
OFFICER, DAN DURAN,
POLICE DISPATCHER, NAME UNKNOWN, and
UNKNOWN EMPLOYEE 1 AND 2,

Defendants.

ORDER

This matter arises on the plaintiff's **Motion to Join Defendant Brandon Barry to Plaintiff's Complaint** [Doc. #45, filed 09/03/2009] (the "Motion"). The Motion is GRANTED.

The plaintiff seeks leave to amend his Complaint to add a defendant. Although he did not submit a proposed amended complaint with the Motion, he submitted a proposed amended complaint on September 9, 2009 [Doc. #49].

The Federal Rules of Civil Procedure provide that "[a] party may amend its pleading once as a matter of course . . . before being served with a responsive pleading." Fed. R. Civ. P. 15(a)(1)(A). A responsive pleading has not been served in this case. Accordingly,

IT IS ORDERED that the Motion is GRANTED.

IT IS FURTHER ORDERED that the Clerk of the Court shall accept the proposed amended complaint for filing.

Dated September 9, 2009.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge