

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-00983-WYD-KLM

WELLMAN E. GIBSON,

Plaintiff,

v.

ANNA MARIE CAMPBELL,
C. HOLST, AIC,
SHIRLEY STEINBECK,
MARSHALL GRIFFITH,
LT. STEINBECK, and
DOCTOR ASSEN,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on **Plaintiff's Motion to Add Defendant & Mental Disability to Complaint** [Docket No. 270; Filed February 16, 2012] (the "Motion").

IT IS HEREBY **ORDERED** that the Motion is **DENIED WITHOUT PREJUDICE**. It is unclear from the Motion whether Plaintiff is attempting to abandon the claims and defendants identified in his Amended Complaint, which is the operative pleading [#37]. Plaintiff's proposed Second Amended Complaint does not name the existing defendants or include factual allegations or claims against them.

The Court notes that, if Plaintiff seeks to amend the Amended Complaint, he must comply with the instructions stated in the Minute Order issued November 17, 2011 [#243], and he must include all claims and all defendants he intends to sue in this action (other than any previously dismissed claims or defendants) in his proposed Second Amended Complaint. The Court will not allow piecemeal pleading.

If Plaintiff seeks to commence a new lawsuit regarding the allegations stated in the proposed Second Amended Complaint included with his Motion, he must follow the instructions for commencement of a pro se prisoner lawsuit as provided for in the Local Rules, as well as the instructions found on the Court's website:

<http://www.cod.uscourts.gov/RepresentingYourself.aspx>

Dated: February 17, 2012