

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01398-BNB

RENEE BRYANT,

Plaintiff,

v.

CITY & COUNTY OF DENVER, and
RICHARD DEAN DE OLIVAS SENA Y CORDOVA RAEI,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JUL 20 2009

GREGORY C. LANGHAM
CLERK

ORDER DIRECTING PLAINTIFF TO FILE SECOND AMENDED COMPLAINT

Plaintiff, Renee Bryant, initiated this action by filing *pro se* a Title VII Complaint. On July 15, 2009, she filed on the proper form an amended Title VII Complaint. The court must construe the amended complaint liberally because Ms. Bryant is not represented by an attorney. *See Haines v. Kerner*, 404 U.S. 519, 520-21 (1972); *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991). However, the court should not be an advocate for a *pro se* litigant. *See Hall*, 935 F.2d at 1110. For the reasons stated below, Ms. Bryant will be ordered to file a second amended complaint.

The court has reviewed the amended complaint and has determined that the amended complaint is deficient. Ms. Bryant alleges that she was employed by the City and County of Denver and that she was terminated from that job in violation of her rights under Title VII of the Civil Rights Act of 1964. However, in addition to naming the City and County of Denver as a Defendant, Ms. Bryant also names as a Defendant Richard Dean de Olivas Sena y Cordova Rael. It is not clear to the court who

Defendant Richard Dean de Olivas Sena y Cordova Rael is and Ms. Bryant has not provided an address for Defendant Richard Dean de Olivas Sena y Cordova Rael. Therefore, if Ms. Bryant wishes to pursue any claims against Defendant Richard Dean de Olivas Sena y Cordova Rael, she must explain who he is and she must provide an address where he can be served. Ms. Bryant is reminded, however, that supervisors and other employees may not be held personally liable under Title VII. **See Haynes v. Williams**, 88 F.3d 898, 899 (10th Cir. 1996). Accordingly, it is

ORDERED that Ms. Bryant file, **within thirty (30) days from the date of this order**, a second amended complaint that complies with this order. It is

FURTHER ORDERED that the clerk of the court mail to Ms. Bryant, together with a copy of this order, two copies of the following form: Title VII Complaint. It is

FURTHER ORDERED that, if Ms. Bryant fails within the time allowed to file a second amended complaint that complies with this order, Defendant Richard Dean de Olivas Sena y Cordova Rael will be dismissed as a party to this action without further notice.

DATED at Denver, Colorado, this 17th day of July, 2009.

BY THE COURT:

s/Craig B. Shaffer
Craig B. Shaffer
United States Magistrate Judge

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FOR THE DISTRICT OF COLORADO

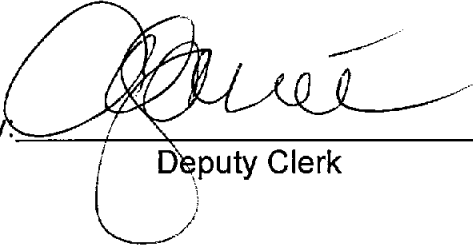
CERTIFICATE OF MAILING

Civil Action No. 09-cv-01398-BNB

Renee Bryant
2529 S. Quintero Way
Aurora, CO 80013-1557

I hereby certify that I have mailed a copy of the **ORDER and two copies of the Title VII Complaint form** to the above-named individuals on 7/20/09

GREGORY C. LANGHAM, CLERK

By: 
Deputy Clerk