

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01709-WYD-KLM

SHANE MCMILLAN

Plaintiff,

v.

WILEY,
FOX,
JONES,
JAVERNICK,
COLLINS,
FENLON,
MADISON,
NALLEY,
WATTS,
LAPPIN, and,
DAVIS,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on **Plaintiff's Motion for Leave to File Amended Complaint** [Docket No. 83; Filed April 8, 2011] (the "Motion"). In order to consider the merits of the Motion, the Court requires that a proposed amended pleading be attached to the Motion. None has been attached here. Moreover, at the time of the Motion's filing, Defendants' position was unknown.

IT IS HEREBY **ORDERED** that the Motion is **DENIED without prejudice**. Plaintiff may re-assert the Motion with an attached proposed amended pleading. Any future Motion of this nature shall contain a supplemental certificate of conferral pursuant to D.C.COLO.LCivR 7.1A. indicating whether, after conferral, Plaintiff has obtained Defendants' position and noting such position.

Dated: April 11, 2011