

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02593-BNB

JARED FLAHIFF,

Plaintiff,

v.

U/M COOPER,
H/O HASSENFRTZ, and
W/ HOYT BRILL,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

FEB 16 2010

GREGORY C. LANGHAM
CLERK

SECOND ORDER DIRECTING PLAINTIFF TO FILE AMENDED COMPLAINT

The Court, on January 7, 2010, instructed Plaintiff, Jared Flahiff, to amend his Complaint and assert personal participation by all named parties to the action. Rather than filing an Amended Complaint, Mr. Flahiff submitted a Letter on January 28, 2010, in which he asserts that all his statements in the original Complaint are true, and he cannot modify the statements. Mr. Flahiff further states in the Letter that Defendant Hassenfritz was the hearing officer who convicted him of the disciplinary conviction and violated his rights. Nonetheless, Mr. Flahiff does not assert any claims against Defendant Hassenfritz in the text of his original Complaint on Pages Four and Five. Mr. Flahiff does assert claims against D/O Franz on Page Four but does not list D/O Franz as a party in the caption of the Complaint. The Court is not requiring Mr. Flahiff to restate his claims, but only to clarify against whom he is alleging the claims.

Mr. Flahiff shall file an Amended Complaint on a Court-approved form that states in the text of the Complaint how each defendant listed in the caption of the Complaint

personally participated in violating his constitutional rights. Accordingly, it is

ORDERED that **within thirty days from the date of this Order** Mr. Flahiff shall file an Amended Prisoner Complaint that complies with this Order and the Order Directing Plaintiff to File Amended Complaint entered on January 7, 2010. It is

FURTHER ORDERED that the Clerk of the Court is directed to mail to Mr. Flahiff, together with a copy of this Order, two copies of the Prisoner Complaint form for use in filing the Amended Prisoner Complaint. It is

FURTHER ORDERED that if Mr. Flahiff fails to file an Amended Prisoner Complaint that complies with this Order and the Order Directing Plaintiff to File Amended Complaint entered on January 7, 2010, within the time allowed, the Court will proceed to review only the merits of the claims asserted against Defendants Cooper and Brill.

DATED February 16, 2010, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 09-cv-02593-BNB

Jared Flahiff
Prisoner No. 110772
Kit Carson Corr. Center
PO Box 2000
Burlington, CO 80807

I hereby certify that I have mailed a copy of the **ORDER** and **two copies of the Prisoner Complaint** to the above-named individuals on 2/16/10

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk