

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

Civil Action No. 09-cv-03008-WYD-BNB

VICKI DILLARD,

Plaintiff,

v.

THE BANK OF NEW YORK, as Successor to JP Morgan Chase Bank,

Defendant.

ORDER

This matter arises on the plaintiff's **Motion to Modify Complaint/Caption** [Doc. # 11, filed 01/29/2010] (the "Motion"). The Motion is DENIED WITHOUT PREJUDICE.

The plaintiff seeks leave to amend her Complaint to add JP Morgan Chase Bank as a separate defendant and to substitute The Bank of New York Trust Company for The Bank of New York. The plaintiff has not submitted a proposed amended complaint, however, and the current complaint does not contain any allegations against JP Morgan Chase Bank.

The plaintiff may not amend her complaint by filing supplements. Rather, she must file the entire proposed amended complaint. The proposed amended complaint must be submitted on the court's form. D.C.COLO.LCivR 8.1A. Each claim shall state which defendant(s) the claim is brought against and shall briefly allege facts sufficient to state a claim for relief against the defendant(s). The plaintiff may not incorporate by reference her original complaint into the amended complaint. The amended complaint must stand alone; it must contain all of the plaintiff's claims. Mink v. Suthers, 482 F.3d 1244, 1254 (10th Cir. 2007) (stating that "an

amended complaint supercedes an original complaint and renders the original complaint without legal effect") (internal quotations and citations omitted).

IT IS ORDERED that the Motion is DENIED WITHOUT PREJUDICE, subject to reassertion in compliance with this Order.

Dated February 2, 2010.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge