

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00397-BNB

BRIAN KEITH JONES,

Plaintiff,

v.

EL PASO COUNTY 4th JUDICIAL DISTRICT, and
STATE OF COLORADO,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

MAR 31 2010

GREGORY C. LANGHAM
CLERK

SECOND ORDER DIRECTING PLAINTIFF TO FILE AMENDED COMPLAINT

On March 29, 2010, Plaintiff, Brian Keith Jones, acting *pro se*, filed a Motion for Discovery. In the Motion, Mr. Jones claims that he is unable to comply with the Court's order entered on March 9, 2010, directing him to file an Amended Complaint. Mr. Jones asserts he needs a list of the individuals who prosecuted him in Case No. 05M7206 so that he may name the proper defendants.

The Court is unable to effect service of process, even for the purpose of discovery without any properly named defendants. Mr. Jones may use fictitious names, such as "John or Jane Doe," if he does not know the real names of the individuals who allegedly violated his rights. However, if Mr. Jones uses fictitious names he must provide sufficient information about each defendant, including an address, so that they can be identified for purposes of service. Accordingly, it is

ORDERED that **within thirty days from the date of this Order** Mr. Jones shall file an Amended Complaint that complies with this Order and the March 9, 2010, Order. It is

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

FURTHER ORDERED that if Mr. Jones fails to file an Amended Complaint, within the time allowed, the Complaint and the action will be dismissed without further notice. It is

FURTHER ORDERED that Mr. Jones' Motion for Discovery (Doc. No. 7) filed on March 29, 2010, is DENIED.

DATED March 31, 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. 10-cv-00397-BNB

Brian Keith Jones
Prisoner No. 129556
El Paso County Det. Facility
2739 E. Las Vegas
Colorado Springs, CO 80906

I hereby certify that I have mailed a copy of this **ORDER** and **two copies of the Prisoner Complaint** to the above-named individuals on 3/3/10

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk