## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00397-BNB

BRIAN KEITH JONES,

Plaintiff,

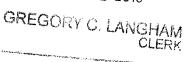
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EL PASO COUNTY 4th JUDICIAL DISTRICT, and STATE OF COLORADO,

Defendants.



MAR 3 1 2010



## 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 33110

GREGORY C. DANGHAM, CLERK

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