

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-02055-CMA-KLM

KEVIN PATRICK JONES,

Plaintiff,

v.

DICK SMELSER, Crowley County Correctional Facility,
DAVID NAVARETTE, Crowley County Correctional Facility,
ALBERT MARTINEZ, Crowley County Correctional Facility,
TIANNA LUCERO, Crowley County Correctional Facility,
BRIDGETTE BLAUSER, Crowley County Correctional Facility,
SANCHEZ, Crowley County Correctional Facility,
THREE UNKNOWN ADMINISTRATIVE SEGREGATION HEARING REVIEW
COMMITTEE MEMBERS, Sterling Correctional Facility,
DOCTOR ASTAFAN, Crowley County Correctional Facility C.C.A "Mental Health,"
DAN PLAGGE, Crowley County Correctional Facility C.C.A "Mental Health,"
JOHN DOE, Colorado State Penitentiary [sic], C.D.O.C. "Mental Health Unit,"
DOCTOR WILSON, Sterling Correctional Facility, C.D.O.C. "Mental Health Unit," and
HUNTER, Sterling Correctional Facility, C.D.O.C. "Mental Health Unit," all sued in their
Individual and Official capacities,

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. 40; Filed March 8, 2011] (the "Motion").

IT IS HEREBY **ORDERED** that the Motion is **DENIED without prejudice**. Any motion to amend must be accompanied by a proposed amended pleading which clearly sets forth the allegations and parties at issue in this lawsuit. Piecemeal attempts to amend the operative complaint by submitting a pleading which contains only new claims and/or parties, but does not reference any prior claims or parties unnecessarily confuses the

docket, Defendants and the Court.

To the extent that Plaintiff wishes to amend his Complaint [Docket Nos. 17, 18 & 19], he shall file a motion titled “**Motion to Amend**” which describes the requested amendments and sets forth the legal basis therefor. In addition, Plaintiff shall attach to his motion a pleading titled “**Amended Complaint.**” The Amended Complaint shall contain (at a minimum), a case caption; a list of parties; a statement of jurisdiction; a summary of the alleged injuries; a list of separately-numbered claims, including the alleged individuals responsible for the injuries and the alleged constitutional rights implicated regarding each claim; a prayer for relief; and Plaintiff’s signature. More specifically, the Amended Complaint shall fully and clearly identify:

- (1) every claim Plaintiff seeks to pursue and the legal basis therefor;
- (2) the names of the individuals Plaintiff seeks to sue as Defendants; and
- (3) the role each named Defendant allegedly played related to the injuries complained of in Plaintiff’s claims.

IT IS FURTHER **ORDERED** that Plaintiff shall file the Amended Complaint on the Court’s Prisoner Complaint form.

IT IS FURTHER **ORDERED** that the Clerk of Court shall mail to Plaintiff two copies of the following form: Prisoner Complaint.

IT IS FURTHER **ORDERED** that any Motion to Amend and attached Amended Complaint which comply with this Order must be filed no later than **March 31, 2011**.

Dated: March 9, 2011