

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-02003-CMA-MEH

TONY SCHMID,

Plaintiff,

v.

CORNELL CORRECTIONS OF AMERICA,
VEACH, Warden,
DR. SHIVALINI M. SANTHANBAR,
TIMOTHY F. LYDEN,
STATE OF ALASKA DEPARTMENT OF CORRECTIONS,
COMMISSIONER JOE SCHMIDT, and
JOHN/JANE DOE,

Defendants.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on July 24, 2012.

The Motion to Strike Immaterial Matters Contained in Second Amended Complaint [filed July 23, 2012; docket # 97] filed by Dr. Kyros Ipaktchi is **granted in part** and **denied in part** as follows. Though the Court will not redact Plaintiff's Second Amended Complaint [docket #76] or direct Plaintiff to amend his pleading, the Court will disregard all references to Dr. Ipaktchi in accordance with Judge Arguello's February 23, 2012 Order dismissing Dr. Ipaktchi with prejudice. (Docket #60.) Consistent with Judge Arguello's Order, the Clerk of the Court is directed to remove Dr. Ipaktchi from the case caption.

In addition, the Court notes that Plaintiff has tendered several additional documents entitled "Second Amended Complaint" since Defendants filed their motion to dismiss on April 16, 2012. (Dockets ##86, 95.) Because Plaintiff has not received leave to amend his pleadings pursuant to Fed. R. Civ. P. 15(a) since April 2, 2012, these documents are not accepted by the Court as amended pleadings. In the interest of clarity, Plaintiff's "Second Amended Complaint" [filed May 1, 2012; docket #86] and Plaintiff's "Second Amended Complaint" [filed June 29, 2012; docket #95] are hereby **stricken**. Plaintiff's Second Amended Complaint [docket #76] will serve as the operative pleading unless or until Plaintiff receives leave of Court to further amend his pleadings.