

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-02492-BNB

MARIA A. ADAMS,

Plaintiff,

v.

VEOLIA TRANSPORTATION,

Defendant.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

OCT -6 2011

GREGORY C. LANGHAM
CLERK

ORDER DIRECTING PLAINTIFF TO FILE AMENDED COMPLAINT

Plaintiff, Maria A. Adams, has filed *pro se* two separate Title VII complaints against the same Defendant: ***Adams v. Veolia Transport.***, No. 11-cv-02491 (D. Colo. filed Sept. 30, 2011), alleging salary discrimination on the basis of sex in violation of the Equal Pay Act, and ***Adams v. Veolia Transport.***, No. 11-cv-02492 (D. Colo. filed Sept. 30, 2011), alleging employment discrimination on the basis of sex in violation of Title VII. Jurisdiction for the instant action is based upon Title VII. Ms. Adams has been granted leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915.

The Court must construe Ms. Adams' filings liberally because she is not represented by an attorney. *See Haines v. Kerner*, 404 U.S. 519, 520-21 (1972); *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991). However, the Court should not be an advocate for a *pro se* litigant. *See Hall*, 935 F.2d at 1110. For the reasons stated below, Ms. Adams will be ordered to file an amended Title VII complaint.

Ms. Adams alleges in her complaint that she has been discriminated against because of her sex and discharged from employment. However, she does not state

any claims for relief, and instead refers the Court and Defendant to attached charges filed under the Equal Employment Opportunity Act. Pursuant to Rule 8(a) of the Federal Rules of Civil Procedure, a complaint “must contain (1) a short and plain statement of the grounds for the court’s jurisdiction, . . . (2) a short and plain statement of the claim showing that the pleader is entitled to relief; and (3) a demand for the relief sought.” Ms. Adams will be directed to file an amended complaint that complies with Rule 8(a).

Accordingly, it is

ORDERED that Plaintiff, Maria A. Adams, file, **within thirty (30) days from the date of this order**, an amended complaint that complies with the pleading requirements of Rule 8(a) of the Federal Rules of Civil Procedure. It is

FURTHER ORDERED that Ms. Adams shall obtain the Court-approved Title VII Complaint form, along with the applicable instructions, at www.cod.uscourts.gov. It is

FURTHER ORDERED that, if Ms. Adams fails to file an amended Title VII Complaint as directed, the Title VII Complaint and the action will be dismissed without further notice.

DATED October 6, 2011, 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

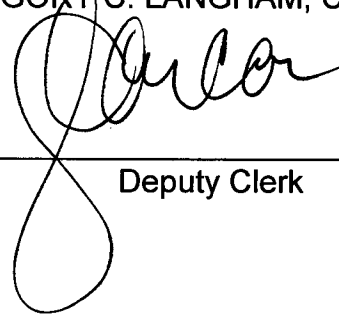
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Maria A Adams
3273 S Acoma
Englewood, CO 80110

I hereby certify that I have mailed a copy of the **ORDER** to the above-named individuals on October 6, 2011.

GREGORY C. LANGHAM, CLERK

By: _____

A handwritten signature in black ink, appearing to read 'G. Langham', written over a horizontal line. The signature is stylized and cursive.

Deputy Clerk