

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-03004-WJM-KLM

ANTWAN OCIE GATLIN,

Plaintiff,

v.

MARY HOLDRIDGE, Correctional Officer.
STEVE BROWN, SR., Investigator,
JESSICA JARAMILLO, Correctional Officer,
STEVE BROWN, JR., Assistant Warden.
CHAD PENNER, Case Manager,
CHRIS DURGA, Correctional Officer,
PAUL DOSE, Shift Supervisor,
LARRY COX, Chief of Security,
JACK CHAPMAN, Hearings Disciplinary Officer, and
ELLEN HAARMANN, Correctional Counselor,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Plaintiff's **Response and Request for Discovery and Extension** [Docket No. 32; Filed June 8, 2012] (the "Motion"). As an initial matter, the Court notes that Plaintiff, who proceeds in this matter *pro se*, has failed to comply with the requirements of Local Rule 7.1C., which states that a "motion shall not be included in a response or reply to the original motion. A motion shall be made in a separate paper." **Plaintiff is advised that future motions that do not comply with this requirement shall be summarily stricken.** However, in the interest of expediency, the Court examines the substance of Plaintiff's request. Plaintiff seeks either permission to amend his Amended Complaint [#13] or an extension of time in which to obtain discovery with which to counter the Motion to Dismiss. See *Motion* [#32] at 8.

IT IS HEREBY **ORDERED** that the Motion [#32] is **DENIED WITHOUT PREJUDICE**.

First, Plaintiff's request to amend his Amended Complaint is **DENIED WITHOUT PREJUDICE**. If Plaintiff is seeking leave to file a Second Amended Complaint, he must file

a motion which complies with the federal and local rules, namely, Fed. R. Civ. P. 15(a) and 20(a), and which includes the proposed Second Amended Complaint as a document separate from the Motion. Furthermore, Plaintiff must use the form complaint prescribed by this Court. D.C.COLO.LCivR 8.2A. The Court will not permit piecemeal adjudication of Plaintiff's case, thus Plaintiff must include all claims he seeks to bring and defendants he intends to name in the proposed Second Amended Complaint.

Second, Plaintiff's request for discovery is **DENIED WITHOUT PREJUDICE**. Plaintiff's request is premature, as the deadlines and other parameters for discovery will be delineated at the Scheduling Conference that will be set after resolution of the pending Motion to Dismiss [#32].

Dated: June 13, 2012