

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Raymond P. Moore**

Civil Action No. 12-cv-02107-RM-KLM

BILLY RAY KARSTEN,

Plaintiff,

v.

BLAKE R. DAVIS,
P.A. CAMACHO,
AMBER L. NELSON, and
FIVE JOHN/JANE DOES,

Defendants.

ORDER DIRECTING CLERK TO OPEN NEW CIVIL ACTION

This matter is before the Court on the June 20, 2013 Amended Prisoner Complaint tendered *pro se* by Plaintiff Billy Ray Karsten. (ECF No. 34.) The Clerk of the Court will be directed to commence a new civil action and file the amended Prisoner Complaint in the new civil action.

Mr. Karsten's claims in the instant action were dismissed without prejudice by order filed on May 15, 2013. (ECF No. 30.) On June 10, 2013, the Court denied Mr. Karsten's motion for reconsideration and advised Mr. Karsten that, because the instant action was dismissed "without prejudice," he was free to re-file a complaint without seeking further judicial permission. (ECF No. 33.) However, rather than commence a new civil action, Mr. Karsten tendered the amended Prisoner Complaint to the Court using the civil action number for the instant action that was dismissed.

The Clerk of the Court will be directed to commence a new civil action and file the tendered Amended Prisoner Complaint, along with a copy of this order, in the new action. Mr. Karsten is advised that the new civil action will be assigned a different civil action number and that he must pursue his claim in the new civil action.

In accordance with the foregoing, the Clerk of the Court is ORDERED to open a new civil action and file the tendered Amended Prisoner Complaint (ECF No. 34) and a copy of this order in the new civil action.

DATED June 21, 2013, at Denver, Colorado.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Raymond P. Moore", written over a horizontal line.

Raymond P. Moore
United States District Judge