

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 13-cv-00749-RM-BNB

JEREMY PINSON,

Plaintiff,

v.

FEDERAL BUREAU OF PRISONS,
ANTHONY OSAGIE,
DAVID ALLRED,
CHRISTOPHER WILSON,
LISA GREGORY,
DAVID BERKEBILE, and
D. HALL,

Defendants.

ORDER

This matter arises on the plaintiff's tendered **Second Amended Prisoner Complaint** [Doc. #39, filed 07/01/2013]. The proposed Second Amended Prisoner Complaint is STRICKEN.

The plaintiff filed his First Amended Prisoner Complaint on April 8, 2013 [Doc. #6] (the "Amended Complaint"). The plaintiff is proceeding *in forma pauperis* pursuant to 28 U.S.C. § 1915 and has been assessed three strikes under 28 U.S.C. § 1915(g).¹

¹The plaintiff's abusive filing history is addressed in Civil Action No. 13-cv-01384-RM-BNB, Document #5, and is obvious from Attachment A to the Complaint in that case [Doc. #1, pp. 9-14] which lists approximately 125 previous cases filed by the plaintiff.

Section 1915(g) provides:

In no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under this section if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

The plaintiff was granted leave to proceed *in forma pauperis* in this case [Doc. #15] based on certain allegations of imminent danger of serious physical injury. He may not add claims and plaintiffs by simply filing a second amended complaint.

Instead, the plaintiff must file a motion seeking leave of court to amend his Amended Complaint. The motion must detail the proposed amendments; state the reasons why such amendments are necessary; and show that the proposed amendments are claims of imminent danger of serious physical injury. The plaintiff must attach the proposed amended complaint, entitled "Second Amended Prisoner Complaint," to the motion. The plaintiff may not incorporate his original or his Amended Complaint into the proposed second amended complaint. The proposed amended complaint must stand alone and contain all of the plaintiff's claims.

IT IS ORDERED that the plaintiff's proposed Second Amended Prisoner Complaint [Doc. #39] is STRICKEN.

Dated October 21, 2013.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge