

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Magistrate Judge Kathleen M. Tafoya**

Civil Action No. 13-cv-01008-MSK-KMT

JOHN THOMAS SEXTON, JR.,

Plaintiff,

v.

GOVERNOR JOHN HICKENLOOPER,  
MAYOR MICHAEL HANCOCK,  
LT. JAMES HENNING OF DENVER POLICE DEPARTMENT,  
UNKNOWN OFFICER OF DENVER POLICE DEPARTMENT,

Defendants.

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**MINUTE ORDER**

**ORDER ENTERED BY MAGISTRATE JUDGE KATHLEEN M. TAFOYA**

This matter is before the court on Plaintiff's "Motion to Correct Previous Motion to Amend Dated August 15, 2014." (Doc. No. 89, filed Aug. 27, 2014.) The court denied Plaintiff's previous "Motion to Amend Complaint to Include Attorney Fees in Request for Relief" (Doc. No. 86) on August 27, 2014 for failure to confer pursuant to D.C.COLO.LCivR 7.1(a). (Minute Order, Doc. No. 88.) Plaintiff's present Motion seeks to cure that deficiency by stating that Defendants responded to his conferral efforts and represented that they took no position on his Motion to Amend.

However, even if it were permissible to correct the shortcomings of a prior motion through a second motion, the court would still have denied Plaintiff's Motion to Amend as premature based on the fact that Plaintiff sought leave to add a request for attorney's fees, even though he is not represented by an attorney in this action. Accordingly, Plaintiff's "Motion to Correct Previous Motion to Amend Dated August 15, 2014" (Doc. No. 89) is DENIED without prejudice to Plaintiff refile a motion to amend his complaint to add a request for attorney's fees if and when he obtains counsel to represent him in this action.

Dated: September 3, 2014