

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-01638-BNB

JOHN THOMAS SEXTON, JR.,

Plaintiff,

v.

DENVER POLICE CHIEF ROBERT WHITE,  
DISTRICT 6 COMMANDER TONY LOPEZ, Denver Police,  
SERGEANT PETRIE, Denver Sheriff's Office,  
SERGEANT WALTERS, Denver Sheriff's Office,  
SERGEANT ST. GERMAIN, Denver Sheriff's Office,  
DENVER CITY ATTORNEY DOUGLAS J. FRIEDNASH,  
DENVER DISTRICT ATTORNEY MITCHELL R. MORISSEY,  
PAMELA ZUBAL, and  
NEVENE ISKANDER, Denver City Attorney's Office,

Defendants.

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ORDER

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This matter is before the court on the letter to the court (ECF No. 8) from Plaintiff, John Thomas Sexton, Jr., that was filed July 3, 2013. Mr. Sexton seeks clarification of the court's Order Directing Plaintiff to File Amended Complaint (ECF No. 7) entered in this action June 27, 2013. For the reasons stated below, that request will be granted.

The court notes initially that Mr. Sexton may not include requests for court orders in letters to the court because any request for a court order must comply with Rule 7 of the Federal Rules of Civil Procedure. Pursuant to Rule 7(b)(1), "[a] request for a court order must be made by motion." Furthermore, "[t]he rules governing captions and other matters of form in pleadings apply to motions and other papers." Fed. R. Civ. P. 7(b)(2).

The court will not consider any requests for court orders Mr. Sexton may make in the future that do not comply with Rule 7.

With respect to the order directing Mr. Sexton to file an amended pleading, Mr. Sexton is advised that an amended complaint supersedes the original complaint “and renders it of no legal effect.” *Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10<sup>th</sup> Cir. 1991) (internal quotation marks omitted); *see also Miller v. Glanz*, 948 F.2d 1562, 1565 (10<sup>th</sup> Cir. 1991). Therefore, Mr. Sexton should include in the amended complaint he has been ordered to file a clear and concise statement of each of the claims he seeks to pursue in this action. Accordingly, it is

ORDERED that Mr. Sexton’s request for clarification, which he makes in a letter to the court (ECF No. 8) filed on July 3, 2013, is GRANTED.

DATED July 10, 2013, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland  
United States Magistrate Judge