

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-02894-CBS

JASON BROOKS,

Plaintiff,

v.

DAVID OBA,
PATRICK BLAKE,
ANGIE TURNER,
CORRECTIONS CORPORATION OF AMERICA,
DEBRA FOSTER,
JULIE RUSSELL,
KATHY HOWELL,
TIM CREANY,
DAVID TESSIERE,
and
DOLORES MONTOYA,

Defendants.

ORDER REGARDING PLAINTIFF'S MOTION TO AMEND

Magistrate Judge Shaffer

This matter comes before the court on a Motion to File an Amended Complaint by Plaintiff Jason Brooks (doc. #61) filed on November 12, 2014. This court instructed Plaintiff in an Order dated October 17, 2014 (doc. #59), that he could file a Second Amended Complaint for the limited purpose of adding Ms. Sicotte as a defendant, supplementing the Eighth Amendment medical claim as to Defendant Tessiere, and amending his Eighth Amendment medical claim as to why he required a meal pass after he began receiving his medical diet plus supplements. The October 17 Order also terminated Defendants Cline, Archuletta, Wager, Raemisch, and the Colorado Department of Corrections from this action. (*See* Doc. #59).

Plaintiff's Motion to Amend is unnecessary given the October 17 Order and is therefore denied without prejudice. Plaintiff is instructed to file a Second Amended Complaint on a separate Prisoner Complaint Form 1983 by December 29, 2014, and is reminded to limit the Complaint to the permissible amendments as directed by the October 17 Order.

Accordingly, it is

ORDERED that Plaintiff's "Motion to File an Amended Complaint" (doc. #61) is DENIED without prejudice. The Clerk is directed to mail a Prisoner Complaint Form 1983 to Mr. Brooks.

DATED at Denver, Colorado, this 26th day of November, 2014.

BY THE COURT:

s/Craig B. Shaffer
United States Magistrate Judge