

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-03291-MSK-MEH

WYATT T. HANDY, JR.,

Plaintiff,

v.

PATRICIA GUERRERO-DIAZ,  
KELLY LEHMAN, and  
S. BROWN,

Defendants.

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**MINUTE ORDER**

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**Entered by Michael E. Hegarty, United States Magistrate Judge, on July 13, 2015.**

Before the Court is Defendants' Motion to Strike Plaintiff's Second Amended Complaint [filed July 9, 2015; docket #55]. The Court **grants** the motion and **orders** the Clerk to strike the Second Amended Complaint at docket #54.

The Court agrees with Defendants that Plaintiff's attempts to add new defendants and ten additional claims for relief are improper. The Court further agrees with Defendants that this Court's recommendation and the subsequent order of Chief Judge Marcia S. Krieger indicated clearly that Plaintiff had leave to amend only his Free Exercise Clause claim to allow the incorporation of additional facts that may have allowed the claim to survive dismissal. *See* dockets ## 41, 47. This Court also explained in a subsequent minute order that Plaintiff's amended complaint must follow the order and recommendation. *See* docket #51.

The Court will allow Plaintiff one additional opportunity to file an amended complaint **on or before July 28, 2015** that complies with the Court's recommendation and Judge Krieger's order. Changes may be made only to the Free Exercise claim; no parties or claims may be added. If Plaintiff again fails to comply and files an improper amended complaint, the Court advises Plaintiff it may recommend dismissal of one or more of Plaintiff's claims.

**In addition to notice of filing of this Minute Order being provided to the parties, it is ORDERED that the office of the Clerk shall mail a copy of this Minute Order to the following:**

CASE MANAGER FOR  
Wyatt T. Handy, Jr.,  
# 55343  
Trinidad Correctional Facility  
210000 Hwy 350 E

Model, CO 81059