

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-02693-REB-MEH

WILLIAM B. ELLER,

Plaintiff,

v.

MR. TOUCHE,  
MRS. RUCH,  
MRS. PARK,  
MRS. TAVNER,  
MR. LEFEVER,  
MR. RUSSELL,  
SARAH DARULA, and  
NICOLE ALBRIGHT,

Defendants.

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**MINUTE ORDER**

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**Entered by Michael E. Hegarty, United States Magistrate Judge, on January 12, 2016.**

Plaintiff's Motion to Amend Complaint [filed January 8, 2016; docket #22] is **denied without prejudice**. Because an amended complaint takes the place of a complaint, the Court will not allow Plaintiff to file what essentially amounts to two complaints he asks the Court to consider together. *See Franklin v. Kansas Dep't of Corr.*, 160 F. App'x 730, 734 (10th Cir. 2005) ("An amended complaint supersedes the original complaint and renders the original complaint of no legal effect.") (citing *Miller v. Glanz*, 948 F. 2d 1562, 1565 (10th Cir. 1991)); *see also Robinson v. Dean Foods Co.*, No. 08-cv-01186-REB-CBS, 2009 WL 723329, at \*4 (D. Colo. Mar. 18, 2009) (citation omitted) ("Generally, when an amended complaint is filed, the previous complaint is wiped out and the operative complaint is the most recently filed version."). Thus, should Plaintiff wish to add parties, he must file an amended complaint that restates all his claims and names all parties, including those formerly named and those he now wishes to add.