

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 16-cv-00160-REB-MEH

MARQUISE DEMONT HARRIS,

Plaintiff,

v.

ADAMS COUNTY SHERIFFS DEPARTMENT,
MICHAEL MCINTOSH, in his individual and official capacities,
S. FULLER, in his individual and official capacities, and
DEPUTY JOHN DOE, in his individual and official capacities,

Defendants.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on February 23, 2016.

Before the Court is Plaintiff's Motion to Amend or Dismiss Initial Complaint [filed February 19, 2016; docket #12]. Essentially, Plaintiff requests that the Court "accept[] the newly filed complaint dated and filed February 19, 2016." The Court notes first that the only document filed by the Plaintiff on February 19, 2016 is the present motion; there is no indication that the Court has received a "newly filed complaint." Second, pursuant to Fed. R. Civ. P. 15(a)(1), the Plaintiff need not ask permission to file a First Amended Complaint at this early stage of the litigation: "[a] party may amend its pleading *once* as a matter of course within ... 21 days after service of a responsive pleading or ... motion under Rule 12" Accordingly, the motion is **denied as moot** and the Plaintiff may file his First Amended Complaint in accordance with Rule 15(a)(1) and all applicable federal and local rules.