

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

CARNELL HUNNICUTT, SR.,	:	
Plaintiff,	:	
	:	
v.	:	CASE NO. 3:10-cv-857 (CSH)
	:	
TAWANDA KITT, et al.,	:	
Defendants.	:	

RULING ON PLAINTIFF'S MOTION TO AMEND [Doc. #13]

Plaintiff Carnell Hunnicutt, Sr., incarcerated and *pro se*, has filed a complaint under 42 U.S.C. § 1983 (2000). He seeks leave to file an amended complaint adding four defendants, Melvin Saylor, Lieutenant Sharp, Ayesha Mumin and Counselor Tourangeau, in their individual and official capacities. Plaintiff's motion [Doc. #13] is **GRANTED** absent objection.

The Pro Se Prisoner Litigation Office shall contact the Department of Correction Office of Legal Affairs to ascertain the current work addresses of the newly added defendants, and mail a waiver of service of process request packet to each defendant in his or her individual capacity within **fourteen (14) days** of this Order. The Pro Se Litigation Office shall report to the court on the status of that waiver request on the **thirty-fifth (35)** day after mailing. If any defendant fails to return the waiver request, the Pro Se Prisoner Litigation Office shall make arrangements for in-person service by the U.S. Marshals Service on that defendant and he or she shall be required to pay the costs of such service in accordance with Federal Rule of Civil Procedure 4(d).

The Pro Se Prisoner Litigation Office shall prepare a summons form and send an official capacity service packet to the U.S. Marshal Service. The U.S. Marshal is directed to effect service of the complaint on defendants Saylor, Sharp, Mumin and Tourangeau in their

official capacities at the Office of the Attorney General, 55 Elm Street, Hartford, CT 06141, within **fourteen (14) days** from the date of this order and to file returns of service within **twenty (20) days** from the date of this order.

The original defendants have not filed their answer or motion to dismiss by September 17, 2010, as previously ordered. Accordingly **all defendants shall** file their response to the complaint, either an answer or motion to dismiss, within **forty-five (45)** days from the date of this order. If they choose to file an answer, they shall admit or deny the allegations and respond to the cognizable claims recited above. They also may include any and all additional defenses permitted by the Federal Rules.

The previously established deadlines for completion of discovery, **February 7, 2011**, and filing motions for summary judgment, **March 9, 2011**, remain in effect.

SO ORDERED at New Haven, Connecticut this 22nd day of November 2010.

/s/ Ellen Bree Burns

Ellen Bree Burns
Senior United States District Judge