

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

DAVID NELSON

vs

Case No. 3:08cv508/MCR/EMT

UNITED STATES OF AMERICA

ORDER

PLAINTIFF'S FIRST AMENDED COMPLAINT (received by the clerk of the court on **February 23, 2009**), was referred to the undersigned with the following deficiencies:

After a responsive pleading has been served, a party may amend the pleading only by leave of court or by written consent of the adverse party. *See* Fed. R. Civ. P. 15(a). Thus, Plaintiff must file a motion for leave of court to amend the complaint. The amended pleading, in its entirety, shall accompany the motion.¹ *See* N.D. Fla. Loc. R. 15.1.

The document does not have a certificate of service as required by Rule 5(d)(1) of the Federal Rules of Civil Procedure and Rule 5.1(D) of the Local Rules of the Northern District of Florida, certifying that a copy of the document has been served upon all other parties and specifying the date and method of such service.

The first page of the document does not have a bottom margin of at least two (2) inches as required by Rule 5.1(B)(3) of the Local Rules of the Northern District of Florida. Each subsequent page must have a margin of approximately one and one-fourth (1 1/4) inch.

¹Plaintiff is advised that, if he chooses to file a motion to amend his complaint, he must confer with counsel for the opposing party and shall file with the court, at the time of filing the motion, a statement certifying that he has conferred with counsel for the opposing party in a good-faith effort to resolve by agreement the issues raised or has attempted to so confer but, for good cause stated, was unsuccessful, as required by Rule 7.1(B) of the Local Rules of the Northern District of Florida.

For these reasons, it is **ORDERED** that:

The submitted hard copy of the document shall be returned to Plaintiff by the Clerk without electronic filing. It may be resubmitted after the above-noted deficiencies are corrected.

DONE AND ORDERED this 3rd day of March 2009.

/s/ Elizabeth M. Timothy

ELIZABETH M. TIMOTHY
UNITED STATES MAGISTRATE JUDGE