

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ABRAM BANKS (#206265)

CIVIL ACTION

VERSUS

LOUISIANA DEPARTMENT OF CORRECTIONS, ET AL.

NO. 10-0560-FJP-CN

O R D E R

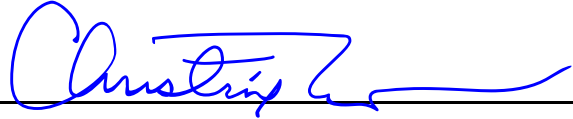
This matter comes before the Court on the plaintiff's Motion to Compel, rec.doc.no. 20, wherein he complains of the defendants' alleged failure to provide initial disclosures as ordered by the Court on September 1, 2010, see rec.doc.no. 5. This motion shall be denied at the present time. The defendants have filed a Motion to Dismiss herein, asserting that other than alleging a single incidence of medical impropriety in 2007, the plaintiff has failed to allege any specific acts or wrongdoing by the defendants to which they can adequately respond. Upon a finding by the Court that this assertion has merit, the Court concludes that it is appropriate for the plaintiff to file an Amended Complaint and to more clearly state his cause of action against the defendants, after which the defendants may be better able to provide initial disclosures. Accordingly,

IT IS ORDERED that the plaintiff's Motion to Compel, rec.doc.no. 20, be and it is hereby **DENIED**, without prejudice.

IT IS FURTHER ORDERED that, within twenty-one (21) days of the date of this Order, the plaintiff is directed to file an Amended Complaint wherein he shall set forth with greater specificity and greater factual detail his claims asserted against the defendants, including specific

instances of alleged misconduct on specific dates and including factual allegations reflecting that the defendants' have personally and directly participated in causing the damages claimed by the plaintiff herein.

Signed in chambers in Baton Rouge, Louisiana, January 5, 2011.

A handwritten signature in blue ink, appearing to read "Christine Noland", is written over a solid black horizontal line.

MAGISTRATE JUDGE CHRISTINE NOLAND