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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

RONNIE HACK : DOCKET NO. 09-413
VS. : JUDGE TRIMBLE
CORRECTION CORP OF AMERICA : MAGISTRATE JUDGE KIRK
OF TENNESSEE LLC, ET AL

ORDER

Before the Court is a "Motion for Recusal of Magistrate Judge Kirk" (doc. #6) wherein the Plaintiff seeks to recuse the Magistrate Judge because he allegedly refused to allow Plaintiff to amend his complaint. The Court notes that the Amended Complaint (doc. #4) has been filed into the record as of March 25, 2009. The Amended Complaint was not filed pursuant to a motion. Furthermore, it was not necessary for the Magistrate Judge to rule on a motion to amend because the amended complaint was automatically filed into the record.¹ Finding no basis in law or fact to recuse the Magistrate Judge, it is

ORDERED that the motion to recuse is hereby **DENIED**.

THUS DONE AND SIGNED in Chambers at Alexandria, Louisiana, this 12th day of May, 2009.



JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT JUDGE

¹ Rule 15 of the Rules of Civil Procedure provides that a party may amend a complaint before being served with a responsive pleading. In the instant case, no responsive pleadings have been filed, thus no leave of court is required.