

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

RONALD JONES BEY,)	
)	
Plaintiff,)	
)	
v.)	No. 4:12-CV-1130-JAR
)	
BANK OF AMERICA N.A.,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff’s “Petition For a Verification of Debt Else Release of Claim” filed October 10, 2012. [ECF No. 14] The Court construes this latest filing as an amended complaint. To preserve the right to amend his complaint, Plaintiff must file a separate motion for leave to amend, with the proposed amended complaint attached. Clayton v. White Hall School Dist., 778 F.2d 457, 460 (8th Cir. 1985).

The pleading must comply with Rules 8 and 10 of the Federal Rules of Civil Procedure. Rule 8(a) requires a complaint to contain “a short and plain statement of the claim showing that the pleader is entitled to relief, and . . . a demand for judgment for the relief the pleader seeks.” Rule 8(d) requires that “[e]ach allegation must be simple, concise, and direct.” Rule 10(b) requires a party to “state its claims or defenses in numbered paragraphs, each limited as far as practicable to a single set of circumstances.”

Plaintiff must also clearly state each defendant he is pursuing allegations against, and set out for each defendant, the factual circumstances surrounding their alleged wrongful conduct. Failure to make specific and actionable allegations against any of the defendants will result in their dismissal from the case.

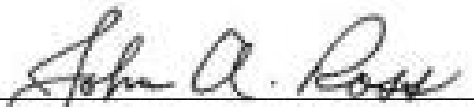
Plaintiff is cautioned that the filing of an amended complaint will replace all preceding complaints, and claims that are not realleged will be deemed abandoned. E.g., In re Wireless Telephone Federal Cost Recovery Fees Litigation, 396 F.3d 922, 928 (8th Cir. 2005).

Accordingly,

IT IS HEREBY ORDERED that Plaintiff shall file an amended complaint, in accordance with the instructions above, no later than thirty (30) days from the date of this Order.

IT IS FURTHER ORDERED that if Plaintiff fails to timely file an amended complaint or fails to comply with the instructions set forth above relating to the filing of the amended complaint, the Court shall dismiss this action without prejudice.

Dated the 15th day of October, 2012.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE