

UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF MISSOURI
 EASTERN DIVISION

KERWIN D. SCOTT,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:13CV255 TIA
)	
TERRY RUSSELL, et al.,)	
)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on “Plaintiff Request Leave of Court to Proceed - Plaintiff’s ‘Supplemental’ Pleading - Plaintiff Request the Court to Direct the Defendants to Respond” (Docket No. 28). The undersigned construes the pleading to be a motion to amend complaint adding additional parties.

Plaintiff has attempted to “supplement” his complaint by filing additional pleadings and calling the pleadings, “supplemental pleading,” and so forth. The Court does not accept “supplements” to pleadings, or amendments to complaints by interlineation. If a plaintiff wishes to amend his complaint, he must include with his motion to amend a proposed complaint that includes each and every claim he wishes to bring against every defendant in this action. Plaintiff is warned that the filing of an amended complaint completely replaces the original complaint, and claims that are not realleged are deemed abandoned. E.g., In re Wireless Telephone Federal Cost Recovery Fees Litigation, 396 F.3d 922, 928 (8th Cir. 2005). In other words, Plaintiff may not seek to amend his original pleading by attempting to “add parties” or “add claims” through a supplement.

Moreover, Plaintiff, who is proceeding pro se, has not filed his proposed amended complaint

on a Court-provided form. Pursuant to Local Rule 2.06(A), pro se plaintiffs are required to utilize a Court-provided form when drafting pleadings. As a result, the Court will order Plaintiff to submit an amended complaint on a Court-provided form.

IT IS HEREBY ORDERED that “Plaintiff Request Leave of Court to Proceed - Plaintiff’s ‘Supplemental’ Pleading - Plaintiff Request the Court to Direct the Defendants to Respond” (Docket No. 28) is DENIED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that the Clerk shall mail to plaintiff a Civil Complaint form.

IT IS FURTHER ORDERED that Plaintiff shall submit an amended complaint on the Court-provided form no later than thirty (30) days from the date of this Memorandum and Order.

Dated this 3rd day of July, 2013.

/s/Terry I. Adelman
UNITED STATES MAGISTRATE JUDGE