

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

PATSHA RAMSEY,

Plaintiff,

v.

ST. CHARLES COUNTY, et al.,

Defendants.

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No. 4:15-CV-776-JAR

MEMORANDUM AND ORDER

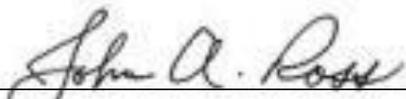
This matter is before the Court on review of the record and the complaint (Doc. No. 1) under 28 U.S.C. § 1915A. Plaintiff asserts violations of both her Constitutional rights and state law; however, she has failed to state the capacity in which she is suing defendants (i.e., official capacity, individual capacity, or both). The Court will, therefore, grant Plaintiff's counsel leave to amend the complaint to state the capacity (i.e., official capacity, individual capacity, or both individual and official capacities) in which Plaintiff is suing each of the named defendants. See Alexander v. Hedback, 718 F.3d 762, 766 n.4 (8th Cir. 2013) (to sue a state actor in his or her individual capacity, "a plaintiff must expressly and unambiguously state so in the pleadings, otherwise, it will be assumed that the defendant is sued only in his or her official capacity").

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's counsel shall file an amended complaint within twenty (20) days from the date of this Order, stating whether Plaintiff is suing the defendants in their official capacity, individual capacity, or both individual and official capacities.

IT IS FURTHER ORDERED that the failure to file an amended complaint in accordance with the Court's instructions will result in the dismissal of this action, without prejudice and without further notice.

Dated this 18th day of June, 2015.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE