

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GILBERT PARKER,

Plaintiff,

v.

NEW YORK STATE DIVISION OF PAROLE,
et al.,

Defendants.

04 Civ. 3901

OPINION

Plaintiff Gilbert Parker moves to amend his complaint to add two defendants, former parole officers John Cieslak, Jr. and Angela DiBenedetto. The complaint as originally filed named as defendants parole officers Alice Chin and Ronald Friedman because they had some role in supervising the parole of plaintiff. It now appears that during the time that plaintiff was on parole, the responsibility of Chin and Friedman was transferred to Cieslak and DiBenedetto. The problem with the motion is that there is no showing or pleading now alleging what wrongdoing the two new proposed defendants committed. The same is probably true for defendants Chin and Friedman. In other words, while plaintiff was on parole, he was probably dealt with by various people in the Parole Division, and there is no reasonably precise pleading as to what any person or persons in the Parole Division did by way of wrongdoing.

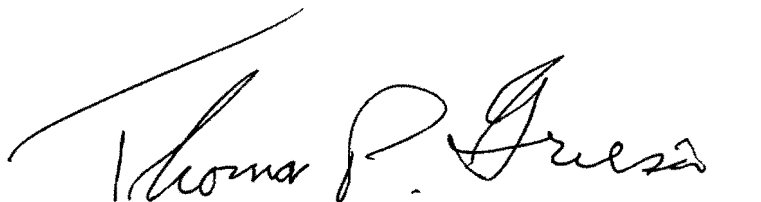
It is also apparently true that, at some point, plaintiff absconded from parole. It is further apparently true that he experienced certain arrests by New York City Police for matters unrelated to any problem about parole.

If the case is to continue, it is time that there be an amended complaint with proper allegations of what occurred with plaintiff while on parole, taking into account his absconding and his arrests by New York City Police.

The motion to amend is denied with leave to renew motion on the basis of a proper complaint. This opinion resolves the motion listed as document number 62 in case number 04 Civ. 3901.

So ordered.

Dated: New York, New York
September 4, 2013



Thomas P. Griesa
United States District Judge

