

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

KYLE JIGGETTS,

Plaintiff,

- against -

ALLIED INTERNATIONAL UNION,

Defendant.

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**MEMORANDUM
OPINION AND ORDER**

07 Civ. 11572 (JSR) (RLE)

RONALD L. ELLIS, United States Magistrate Judge:

In December of 2007, *Pro se* Plaintiff Kyle Jiggetts filed his initial Complaint in this action, alleging that Allied International Union failed to represent him in hearings regarding his termination by Tristar Patrol Services, Inc. Jiggetts alleged that this failure to represent was the result of unlawful discrimination and retaliation on the part of Allied International Union. On May 21, 2008, Allied International Union answered the Complaint, including in its response a number of affirmative defenses. (Docket No. 6.)

In late May 2008, and again in mid-June 2008, Jiggetts asked the Court to grant him permission to amend his Complaint. (*See* Docket Nos. 9 & 10.) Entry number 9 provides the Court with Jiggetts’s proposed Amended Complaint, while number 10 is merely a correspondence regarding his request, and does not provide any additional information. While Jiggetts’s request was *sub judice*, he filed another motion to amend his Complaint, dated February 18, 2009. (Docket No. 15.)

Upon review of the two pending motions, the Court finds that Jiggetts’s first Motion to Amend (Docket No. 9) provides additional factual allegations, presented in numbered paragraphs and supplementing the claims presented in his initial Complaint. In contrast, Jiggetts’s most

recent Motion to Amend (Docket No. 15) does not provide any new factual allegations but merely includes various documents that do not comprise short and plain statements of Jiggetts's claims or grounds for relief. These documents are more appropriately presented to opposing counsel during document discovery, and do not present additional facts relating to the underlying claims in this case. Therefore, Jiggetts's May 2008 Motion to Amend his Complaint (as presented in Docket No. 9) is **GRANTED**, and Jiggetts's February 18, 2009 Motion to Amend his Complaint (Docket No. 15) is **DENIED**.

IT IS HEREBY ORDERED that Allied International Union shall respond to Jiggetts's Amended Complaint (Docket No. 9) on or before **March 31, 2009**.

IT IS FURTHER ORDERED that no further motions to amend shall be filed by Jiggetts absent express permission of the Court.

SO ORDERED this 4th day of March 2009
New York, New York



The Honorable Ronald L. Ellis
United States Magistrate Judge