

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:16-cv-34-FDW**

JIMMY ALLEN ROBERTS,

Plaintiff,

vs.

FRANK L. PERRY, et al.,

Defendants.

)
)
)
)
)
)
)
)
)
)
)
)
)

ORDER


THIS MATTER comes before the Court on Plaintiff’s “Motion for Joinder,” in which Plaintiff has filed a 186-page document, and he asks for this Court to “conjoin, or otherwise incorporate the issues asserted in the three pleadings attached hereto (respectively) into Claim 3, of the civil rights complaint now pending before this Court.” (Doc. No. 7). Plaintiff’s motion will be denied. First, he has not attached a proposed Amended Complaint. A plaintiff may not amend his Complaint in piecemeal fashion. Furthermore, and more importantly, most of the documents and “claims” that Plaintiff purports to incorporate by filing his 186-page document are not related to his current, pending claim of First Amendment religious discrimination in this Court.¹ Finally, Rule 8(a)(2) of the Federal Rules of Civil Procedure requires a “short and plain statement of the claim showing that the pleader is entitled to relief.” Petitioner’s proposed 186-page document does not comply with Rule 8(a)(2) because it does not contain a “short and plain statement” of his claims. Thus, Plaintiff’s “motion for joinder” is denied.

IT IS THEREFORE ORDERED that:

¹ The Court further notes that this action has proceeded well past the initial stages, as a scheduling order has been entered, with the deadline for discovery set at February 14, 2017, and dispositive motions are due by March 14, 2017.

(1) Plaintiff's Motion for Joinder, (Doc. No. 26), is **DENIED**.

Signed: January 27, 2017



Frank D. Whitney
Chief United States District Judge

