

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:15-cv-400-FDW**

WILLIAM THOMAS,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
FNU TRIPLETT, et al.,)	
)	
Defendants.)	
_____)	


THIS MATTER comes before the Court on Plaintiff’s Motion to Amend Complaint, (Doc. No. 38), and on Plaintiff’s Motion for Appointment of Counsel, (Doc. No. 39).

Plaintiff seeks to amend the Complaint to add a claim for \$500,000 in compensatory damages and a claim for \$350,000 in punitive damages. Plaintiff’s motion will be denied, first, because he has not attached a proper proposed amended complaint. In order to amend his complaint, Plaintiff may not simply add allegations to his already existing complaint as he has done here. Rather, he must submit a proposed amended complaint that contains all claims he intends to bring in this action against all defendants he intends to sue. That is, a plaintiff may not amend his complaint in piecemeal fashion.

In any event, as Defendants point out in their response, Plaintiff requests leave to obtain compensatory and punitive damages in his motion to amend, but Plaintiff already requested compensatory and punitive damages in his original Complaint filed on August 31, 2015, in an amount to be determined by the jury. Thus, Plaintiff’s pending motion to amend is frivolous and will be denied.

Next, as to Plaintiff’s motion to appoint counsel, the motion is denied for the same

reasons the Court denied Plaintiff's prior m



Frank D. Whitney
Chief United States District Judge



IT IS THEREFORE ORDERED

Plaintiff's Motion to Amend Complaint, (Doc. No. 38), and Plaintiff's Motion for Appointment of Counsel, (Doc. No. 39), are **DENIED**.