

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Curtis Dale Richardson,) C/A No. 4:12-2850-RBH-TER
vs.)
Plaintiff,)
vs.) ORDER
Gov. Nikki Haley;)
Kela Thomas, Director SCDPPS;)
Valerie Suber, Parole Examinations Manager;)
Dayne Haile, Office of General Counsel;)
SCDC Classification Personnel and Responsible Official;)
Warden Reynolds, and)
Ms. Hough, to include Inmate Records Supervisor and)
Staff,)
Defendants.)

This case is before the court following referral back from the assigned United States District Judge following a finding that the Report and Recommendation entered in this case following initial review the Complaint, ECF No. 1, is moot as a result of filings made by Plaintiff in connection with Objections to the Report and Recommendation. ECF No. 15. The District Judge referred it back to consider Plaintiff's filings which contains the words "amendment" and "to add additional claims and defendants." (ECF #21).

Plaintiff's filing was reviewed, but it is unclear what, if any, "new" defendants are intended to be added to this case. The court cannot pick the names of persons and/or entities who or which might be referenced within the body of pleading and make them defendants in this case. Plaintiff must clearly list his intended defendants in the caption and/or on page 2 of a court-approved complaint form before the court can determine who or what to docket as an "additional defendant." He also must provide service documents for all intended defendants. Moreover, although the filing lists five claims, including one that appears to be the same as the only claim in the original Complaint, it is not clear as to which current Defendants or "new" defendants the four "new" claims apply. Plaintiff must inform the court clearly in each claim which defendant or defendants are sued in that particular claim.

Rather than issuing another Report and Recommendation at this time based on Plaintiff's continuing failure to comply with Federal Rule of Civil Procedure 8 because of the deficiencies noted above, the undersigned is providing Plaintiff with one *final* opportunity to submit a proper, clear, and concise amended complaint on which the required initial review may be conducted.

The amended complaint must be clearly written on a court-approved complaint form and Plaintiff must answer each and every question on that form that is applicable to his claims. He must clearly set out his intended defendants and he must provide sufficient information that the court can determine which defendant or defendants are intended to be sued in each separate claim.

Accordingly,

Plaintiff is granted **twenty-one (21) days from the date of this order** to submit an amended complaint on a court-approved complaint form as directed above. Service documents for all intended defendants must also accompany the amended complaint.

The Clerk of Court is directed to provide Plaintiff with a blank prisoner complaint form, one summons form on which all intended defendants and their service addresses must be written, and ten Forms USM-285, one for each intended defendant. If Plaintiff submits the required documents, the completed complaint form shall be docketed as an “amended complaint.”

IT IS SO ORDERED.

s/Thomas E. Rogers, III

Thomas E. Rogers, III
United States Magistrate Judge

May 6, 2013
Florence, South Carolina