

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

<p>DERECK VICE, a/k/a Dereck Vice, a/k/a D. Vice,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>DR. MARY CARPENTER, LT. FITZU, C/O BOYSEN, C/O ROBERT KIRVIN, PA TAMMY TOP, DR. JOE HANVEY, SGT. HERMANN, and CORRECTIONAL OFFICER STOYNOV,</p> <p style="text-align: center;">Defendants.</p>	<p style="text-align: center;">4:16-CV-04127-KES</p> <p style="text-align: center;">ORDER GRANTING MOTION TO ENTER EVIDENCE AND DENYING MOTION TO AMEND COMPLAINT</p>
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Plaintiff, Dereck Vice, filed a pro se civil rights lawsuit and now moves to enter evidence. Docket 40. The motion is granted; the court will consider these documents as an attachment to the complaint.

Vice also moves to add defendants and amend his complaint. Docket 41. In this motion, Vice argues that certain defendants named in his amended complaint should not have been dismissed. He also argues that the court should allow him to add a party. Under Federal Rule of Civil Procedure 15, a party may amend its pleading once as a matter of course within 21 days after serving it. "In all other cases, a party may amend its pleading only with the opposing party's written consent or the court's leave. The court should freely give leave when justice so requires." Fed. R. Civ. P. 15(a)(2).

Vice failed to follow the local rules which state:

[A]ny party moving to amend a pleading will attach a copy of the proposed amended pleading to its motion to amend with the proposed changes highlighted or underlined so that they may be easily identified. If the court grants the motion, the moving party will file a clean original of the amended pleading with the clerk of court within 7 days.

D.S.D. Civ. LR 15.1.

If Vice wishes to amend his complaint, he must file a motion along with a proposed amended complaint. Vice is warned that the court will not reverse its previous decisions merely because he disagrees with them.

Thus, it is ORDERED

1. Vice's motion to enter evidence (Docket 40) is granted.
2. Vice's motion to include new defendants on an amended complaint (Docket 41) is denied.

Dated April 6, 2017.

BY THE COURT:

*/s/ Karen E. Schreier*

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KAREN E. SCHREIER

UNITED STATES DISTRICT JUDGE