

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

MICHAEL BRISCOE,
Plaintiff,

v.

CITY OF NEW HAVEN,
Defendant.

3:09-cv-1642 (CSH)

RULING ON PENDING MOTIONS

HAIGHT, Senior District Judge:

Defendant's Motion to Dismiss the Amended Complaint [Doc. 52] is GRANTED. Plaintiff's Motion to File a Second Amended Complaint [Doc. 63] is DENIED. Defendant's Motion to Dismiss the Second Amended Complaint [Doc. 81], which was filed on a contingent basis should the amendment be permitted, is DENIED AS MOOT.

All other pending motions are DENIED AS MOOT. This includes the Motions to Intervene by Sean Patton [Doc. 30] and Matthew Marcarelli [Doc. 77], and Sean Patton's Motion for a Ruling on his Motion to Intervene [Doc. 75], as well as Plaintiff's Motion for Preliminary Injunction [Doc. 70] and Plaintiff's Motion to Conduct Discovery and Modify Protective Order [Doc. 71]. In light of these rulings, the hearing on Plaintiff's motion for a preliminary injunction, which was tentatively scheduled for this Friday, April 23, 2010, is cancelled.

A Memorandum of Opinion setting forth the reasons for these rulings will issue subsequently.

SO ORDERED. Dated: New Haven, Connecticut, April 21, 2010.

/s/ Charles S. Haight, Jr. _____
Charles S. Haight, Jr.
Senior United States District Judge