

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

**EDWARD NELSON and
PATRICIA NELSON,
Plaintiffs,**

v.

**CITY OF STAMFORD, et al.
Defendants.**

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**CIVIL ACTION NO.
3:09-cv-1690 (VLB)**

January 31, 2012

ORDER SEVERING CASE AS TO EDWARD NELSON

As discussed at length at the show cause hearing on January 19, 2012, Patricia and Edward Nelson's claims do not arise out of the same nucleus of facts. Assuming Plaintiffs' factual allegations to be true, they were each arrested in separate locations out of view of the other and they were each subjected to separate booking processes. Accordingly, Plaintiff Edward Nelson's claims are hereby severed from Plaintiff Patricia Nelson's claims. Plaintiff Edward Nelson's claims will be given a new docket number to be directly assigned to Judge Bryant. The filing fee for Edward Nelson's claims is waived. Edward Nelson shall file, by February 29, 2012, an amended complaint consisting solely of the claims proceeding to trial following the Court's decision on Summary Judgment, consisting of: (1) Mr. Nelson's claim of excessive force; (2) Mr. Nelson's claim of assault and battery, (3) Mr. Nelson's claim of recklessness and negligence; (4) Mr. Nelson's claim of negligent infliction of emotional distress; and (5) Mr. Nelson's claim of negligence against the City of Stamford under Conn. Gen. Stat. §51-557n.

IT IS SO ORDERED.

/s/

**Hon. Vanessa L. Bryant
United States District Judge**

Dated at Hartford, Connecticut: January 31, 2012