

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

DANIEL J.A. WEBB :  
V. : CASE NO. 3:11CV1557 (RNC)  
JOHN ARMSTRONG, et al. :

ORDER

On August 15, 2012, the Court issued an Initial Review Order ("IRO") (Doc. 5) dismissing claims against twenty defendants in this case pursuant to 28 U.S.C. § 1915A(b)(1). The IRO permitted the case to proceed as to certain claims against defendants Cahill, Leaks, Pagliano, Brace, Wilbur, Germond, Fleeting, and Correctional Officer Doe arising out of a March 29, 2010 confrontation between the plaintiff and defendant Cahill. The IRO notified the plaintiff that service could not be effected on defendant Doe without that defendant's name and address, and directed the plaintiff to file an amended complaint within 30 days containing this information. The Court specifically cautioned the plaintiff that "the amended complaint shall . . . omit all allegations relating to the claims that have been dismissed without prejudice by this order."

After requesting an extension of time to file an

amended complaint and a motion for reconsideration on September 14, the plaintiff submitted a proposed amended complaint on October 11. This proposed amended complaint asserts a new claim under the Americans with Disabilities Act, adds three defendants against whom claims were dismissed in the IRO, adds seven new defendants, and makes new requests for relief. As such, the proposed amended complaint fails to comply with the directives of the IRO.

Treating the proposed amended complaint as a motion for leave to amend, the motion (Doc. 27) is denied for failure to comply with the IRO. The plaintiff's motion for an extension of time of 30 days to file an amended complaint (Doc. 14) is granted, and the plaintiff shall have until January 18, 2013, to file an amended complaint that complies with the IRO. To comply with the IRO, the amended complaint must not contain claims or defendants except the claims and defendants listed at pages 3 and 4 of the IRO. This amended complaint shall be the sole operative complaint going forward in this action. No new claims and no new defendants will be added except pursuant to a court order granting leave to amend. No such motion may be filed until after the plaintiff files an amended complaint in accordance with the

IRO and this order.

The defendants' motions for extension of time (Docs. 22, 23) are granted. The plaintiff's motion for reconsideration (Doc. 15) is denied. The Clerk will reinstate the defendants named in the IRO that were terminated following submission of the proposed amended complaint and terminate the case with respect to all additional defendants named in the proposed amended complaint.

So ordered this 17th day of December, 2012.

                    /s/ RNC                      
Robert N. Chatigny  
United States District Judge