

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 17-cv-00884-STV

CHAYCE AARON ANDERSON,

Plaintiff,

v.

JASON SHUTTERS,

Defendant.

MINUTE ORDER

Entered By Magistrate Judge Scott T. Varholak

This case matter is before the Court upon its review of Plaintiff's letter to the Court dated July 22, 2017. [#25] In the letter, Plaintiff states that he has undergone eight separate facility transfers and, as a result, does not appear to have received all of the legal mail sent to him by the Court. [*Id.* at 3] Specifically, Plaintiff contends that he has not received notice of (1) the Court's receipt of his amended complaint; (2) any order following the Court's initial review of the amended complaint; and (3) any ruling from the Court on Defendant's second motion for the appointment of counsel. Plaintiff's letter also requests copies of the Court's template for the joint proposed scheduling order and instructions and the Election Concerning Consent/Non-Consent to United States Magistrate Judge Jurisdiction form.

The Court confirms that Plaintiff's Amended Complaint was received by the Court and docketed with the date May 10, 2017. [#9] On July 3, 2017, the Court denied Plaintiff's second motion for the appointment of counsel as premature. [#16] On July 6, 2017, Judge Babcock, pursuant to 28 U.S.C. § 1915A, issued an order dismissing certain of the claims asserted in the amended complaint, including all claims against Cara Boxberger and Mark Delano, and drawing the case to a presiding judge for the remaining claims. [#17]

In addition, Plaintiff contends that, to the extent certain parties and/or claims were dismissed from his amended complaint, Plaintiff "should be afforded a fair and equal opportunity to amend the [Amended Complaint] . . . to address any issues before any Defendants are removed from the suit. [#25 at 3] To the extent Plaintiff wishes to

file a further amended complaint, Plaintiff must file a motion for leave to amend his complaint pursuant to Federal Rule of Civil Procedure 15 and should attach as an exhibit to any such motion a copy of his proposed amended pleading.

IT IS ORDERED that the Clerk of Court shall mail a copy of the following documents to Plaintiff:

1. The docket sheet;
2. Minute Order, dated July 3, 2017 [#16];
3. Order to Dismiss in Part and to Draw Case, dated July 6, 2017 [#17];
4. the template joint proposed scheduling order and instructions, available from the Court's website;
5. the Election Concerning Consent/Non-Consent to United States Magistrate Judge Jurisdiction form, available from the Court's website; and
6. a copy of this Order.

DATED: July 28, 2017

BY THE COURT:

s/Scott T. Varholak
United States Magistrate Judge