

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DANE MARCUS BONNER,

Plaintiff,

v.

ST. CROIX COUNTY ADMINISTRATION,

Defendant.

ORDER

03-C-662-C

In an order entered in this case on December 12, 2003, I granted plaintiff leave to proceed in forma pauperis against defendant St. Croix County Administration on his claim that he is subject to a jail policy requiring him to use Nair in place of a razor for removing facial hair, and that the Nair is causing him to suffer facial scarring and burning in violation of his Eighth Amendment rights. In granting plaintiff leave to proceed against St. Croix County, I noted that there was an arguable basis for a claim that the defendant county could be held liable for the alleged constitutional violation if the sheriff's acts could be construed as establishing municipal policy or custom.

Now plaintiff has filed a document titled "Motion for Leave to File an Amended Complaint." In this document, plaintiff states that after he filed his complaint in this court,

he learned the names of the parties responsible for the policy and procedure at the jail. He asks permission to amend the complaint to add as defendants Sheriff Dennis Hillstead, Capt. Karen Humphries, Sgt. Kristen Anderson and Sgt. Mark Mikla.

Plaintiff appears to believe that his motion constitutes a proper proposed amended complaint. It does not. Plaintiff's amended complaint, if it is allowed, will completely replace the original complaint. Therefore, it must contain all of the allegations of the original complaint that plaintiff wishes to keep and omit all of the allegations that he wishes to delete. Also, where a plaintiff wants to add defendants, he must allege in the amended complaint how each new defendant was personally involved in the alleged constitutional wrongdoing. It must be very clear to the court exactly what changes plaintiff wants made to his original complaint. Therefore, this court requires pro se litigants who want to amend a pleading to draw a line through all allegations of the original complaint that he wants removed and highlight all the allegations that are new.

Because plaintiff has not yet submitted a proposed amended complaint, I will deny his motion to amend without prejudice to his filing a new motion to amend, together with a proposed amended complaint that is in the format described above. Once plaintiff files a proposed amended complaint, the amended pleading will be screened pursuant to 28 U.S.C. § 1915A, in the same manner that plaintiff's original complaint was screened.

ORDER

IT IS ORDERED that plaintiff's motion to amend his complaint is DENIED without prejudice to plaintiff's filing a new motion to amend with a proposed amended complaint.

Entered this 11th day of February, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge