

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

JAROME R. WILLINGHAM,  
Plaintiff,

vs.

Case No. 10-2583-JTM

SHAWNEE POLICE DEPARTMENT,  
Defendant.

MEMORANDUM AND ORDER

On October 27, 2010, United States Magistrate Judge O'Hara issued a Report and Recommendation to this Court that the case be dismissed for failure to state a claim, noting that plaintiff Jarome Willingham's Complaint "includes no factual information," and omits any statement of "what relief he seeks," including "the amounts or the reasons he believes he is entitled to recover such monetary damages." (Dkt. 6, at 1). The Report and Recommendation also directed Willingham to show why this case should not be dismissed.

Willingham subsequently entered a pleading which, liberally construed, supplies factual information in support of his Complaint, and the court construes the Response as a motion to amend, which the court hereby grants. The Plaintiff shall file such an Amended Complaint, including the factual allegations contained in his Response of November 3, 2010, within 14 days of the present

Order. Failure to file an Amended Complaint by that date will result in the Court adopting the Report and Recommendation.

IT IS SO ORDERED, this 23rd day of November, 2010.

s/ J. Thomas Marten  
J. THOMAS MARTEN, JUDGE