

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SANDRA JONES,)
)
 Plaintiff,)
)
 v.) Civil Action No. 03-46-KAJ
)
 PETER SCHWARTZKOP, et al.,)
)
 Defendants.)

MEMORANDUM ORDER

This order is directed to plaintiff Sandra Jones’s Motion to Amend Complaint for Clarity Purposes, filed on June 11, 2003. (Docket Item [“D.I.”] 14.) Ms. Jones claims that she failed to list the Delaware Secretary of State under the caption “The Parties” in her initial complaint, but that she “completed a service of process for Secretary of State to be served in this case, as well as listed the Secretary of State in her case caption in the complaint.” (*Id.*) Ms. Jones asks that her complaint be amended to include the Secretary of State under the heading “The Parties.” (*Id.*)

Contrary to her assertions, Ms. Jones did not list the Secretary of State in the case caption of her complaint. The Secretary of State has not returned a completed process receipt or waiver of service in this action, despite Ms. Jones’s claim that she completed the necessary form for service of process to be made on the Secretary of State. (D.I. 15.) Ms. Jones’s Motion will therefore be considered as a motion to join an additional party as a defendant under Federal Rule of Civil Procedure 20, which provides, in pertinent part, “[a]ll persons...may be joined in one action as defendants if

there is asserted against them jointly, severally, or in the alternative, any right to relief in respect of or arising out of the same transaction, occurrence, or series of transactions or occurrences and if any question of law or fact common to all defendants will arise in the action.” Fed. R. Civ. P. 20.

In her complaint, Ms. Jones requests that I stay certain proceedings against her in state court pending the outcome of this action and award her damages of \$1,000,000.00 against Delaware State Police Troop 7 and Officer Donna Dykstra for violating her constitutional rights. (D.I. 2 at 7.) Nowhere in her complaint or in her Motion does Ms. Jones assert that any of her purported claims against the Secretary of State arise out of the same set of operative facts alleged in her complaint, or that the Secretary of State is jointly and severally liable for any monetary relief that Ms. Jones is seeking. As such, Ms. Jones has not set forth any valid reason why the Secretary of State should be joined as a defendant in this action. For these reasons, it is hereby ORDERED that Ms. Jones’s Motion is DENIED.

Kent A. Jordan
UNITED STATES DISTRICT JUDGE

Wilmington, Delaware
March 15, 2004