

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

FILED IN UNITED STATES DISTRICT COURT, DISTRICT OF UTAH

JUN 12 2013

MARK JONES

DEPUTY CLERK

QAIYIM HILL, and RICHARD ANTHONY URIBE,

Plaintiffs,

v.

STATE OF UTAH, UTAH STATE DEPARTMENT OF CORRECTIONS, BLAKE MILLECAM, individually and his official capacity; JASON NEWMAN, individually and in his official capacity, and JOHN DOES I-X.

Defendants.

**MEMORANDUM DECISION & ORDER
GRANTING QAIYIM HILL AND
RICHARD ANTHONY URIBE'S MOTION
TO AMEND**

Case No. 2:12-cv-00710-EJF

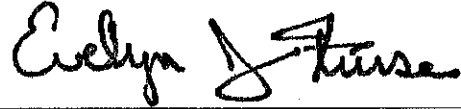
Magistrate Judge Evelyn J. Furse

Plaintiffs Qaiyim Hill and Richard Anthony Uribe ("Plaintiffs") moved the Court to Amend the Complaint. (ECF No. 12.) After careful consideration, the Court GRANTS the Motion based on the arguments in the motion and the lack of opposition thereto.

After the time period for amending as a matter of course has expired, "a party may amend its pleading only with the opposing party's written consent or the court's leave. The court should freely give leave when justice so requires." Fed. R. Civ. P. 15(a)(2). "In the absence of any apparent or declared reason—such as undue delay, bad faith or dilatory motive on the part of the movant, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, futility of amendment, etc.—the leave sought should, as the rules require, be 'freely given.'" *Minter v. Prime Equip. Co.*, 451 F.3d 1196, 1204 (2006) (quoting *Foman v. Davis*, 371 U.S. 178, 182 (1962)). The Defendant does not allege any of these reasons, and therefore the Court GRANTS the motion.

SO ORDERED this 12th day of June, 2013.

BY THE COURT:

A handwritten signature in black ink, reading "Evelyn J. Furse". The signature is written in a cursive style with a large, stylized initial "E".

EVELYN J. FURSE

United States Magistrate Judge