

**THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

FRANCES GATEWOOD

PLAINTIFF

v.

Case No. 3:20-cv-00129-KGB

**RYDER TRUCK RENTAL, INC.
AND LEROY DONTAE WILLIAMS**

DEFENDANTS

ORDER

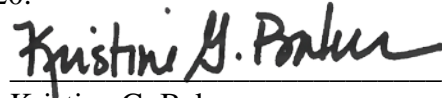
Before the Court is plaintiff Frances Gatewood's motion for leave to amend complaint, filed August 25, 2020 (Dkt. No. 7). Ms. Gatewood filed her initial complaint against defendants Ryder Truck Rental ("Ryder") and Leroy Dontae William on May 11, 2020 (Dkt. No. 1). For the following reasons, the Court grants plaintiff's motion for leave to amend complaint (Dkt. No. 7).

Pursuant to Federal Rule of Civil Procedure 15(a)(1), a party may amend a pleading once as a matter of course within 21 days after serving it or within 21 days after service of the responsive pleading or a motion under Rule 12(b)(6). After the 21-day period expires, "a party may amend its pleadings only with the opposing party's written consent or the court's leave." Fed. R. Civ. P. 15(a)(2). The Court should give leave freely when justice so requires, but "parties do not have an absolute right to amend their pleadings" *Sherman v. Winco Fireworks, Inc.*, 532 F.3d 709, 715 (8th Cir. 2008).

"[D]enial of leave to amend pleadings is appropriate only in those limited circumstances in which undue delay, bad faith on the part of the moving party, futility of the amendment, or unfair prejudice to the non-moving party can be demonstrated." *Roberson v. Hayti Police Dep't*, 241 F.3d 992, 995 (8th Cir. 2001) (citing *Foman v. Davis*, 371 U.S. 178, 182 (1962)). "A district court's denial of leave to amend a complaint may be justified if the amendment would be futile." *Geier v. Missouri Ethics Comm'n*, 715 F.3d 674, 678 (8th Cir. 2013).

Ms. Gatewood seeks to amend her complaint in order to join an additional defendant (Dkt. No. 7, ¶ 4). Defendants have not opposed this motion. For good cause shown, the Court grants Ms. Gatewood's motion for leave to amend complaint (Dkt. No. 7). The Court directs Ms. Gatewood to file her amended complaint within 21 days from the date of this Order.

It is so ordered this 15th day of October, 2020.

A handwritten signature in black ink, reading "Kristine G. Baker", written over a horizontal line.

Kristine G. Baker
United States District Judge