

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

RAMONICA M. LUKE,)
)
 Plaintiff,)
)
 v.) CV 117-125
)
 UNIVERSITY HEALTH SERVICES, INC.,¹)
)
 Defendant.)

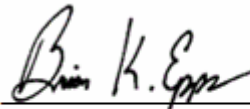
ORDER

Before the Court is Plaintiff's motion to amend the name of Defendant from University Hospital to University Health Services, Inc. (Doc. no. 18.) Under Federal Rule of Civil Procedure 15(a), a party may amend a pleading more than twenty-one days after serving it "with the opposing party's written consent or the court's leave." Fed. R. Civ. P. 15(a)(2). Courts should freely allow amendment absent undue delay or prejudice to the opposing party. See Carter v. Broward Cty. Sheriff's Dep't Med. Dep't, 558 F. App'x 919, 923 (11th Cir. 2014) (citing Forman v. Davis, 371 U.S. 178, 182 (1962)); see also Fed. R. Civ. P. 15(a)(2) ("The court should freely give leave when justice so requires."). Additionally, the "'misnomer rule' . . . generally allows for correction of a defendant's name pursuant to Rule 15 at any time where a plaintiff has sued a defendant by an incorrect name." Pears v. Mobile Cnty., 645 F. Supp. 2d 1062, 1082 (S.D. Ala. 2009) (emphasis added).

¹The Court **DIRECTS** the Clerk to update the docket to reflect the amended caption.

In light of the foregoing, the Court **GRANTS** Plaintiff's motion to amend. (Doc. no. 18.) The Complaint (doc. no. 1) is deemed amended pursuant to Federal Rule of Civil Procedure 15 to correct the misnomer of Defendant University Hospital to reflect its proper name: University Health Services, Inc.

SO ORDERED this 20th day of February, 2018, at Augusta, Georgia.



BRIAN K. EPPS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA