

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF KENTUCKY  
PADUCAH**

ELAYSHIA BOEY, et al.,	)	
	)	
<i>Plaintiffs,</i>	)	
v.	)	
	)	Case No. 5:22-cv-49 (TBR)
DEPUTY JON HAYDEN, et al.,	)	
	)	
<i>Defendants.</i>	)	
	)	

**MEMORANDUM OPINION AND ORDER**

This matter comes before the Court upon Plaintiffs’ Motion for Leave to Amend, (“Mot.”), Dkt. 8. Plaintiffs seek to amend their complaint by adding three claims: (1) for medical damages that have been incurred since the filing of the complaint; (2) against recently identified supervisors; and (3) based on body worn camera policies. *See* Mot. at 2–3. Defendants did not respond.

Pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, leave to amend “shall be freely given when justice so requires.” The Supreme Court has held that leave to amend should normally be granted unless there is some “apparent or declared reason” not to allow the amendment. *Foman v. Davis*, 371 U.S. 178, 182 (1962). Denial of leave to amend may be appropriate “where there is 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 the amendment, etc.” *Miller v. Champion Enters., Inc.*, 346 F.3d 660, 690 (6th Cir. 2003) (citations and quotation omitted).

The record does not suggest that Plaintiffs are acting with bad faith or dilatory motive in seeking leave to amend. To the contrary, Plaintiffs assert that they learned information about

these claims after the initial complaint was filed. *See* Mot. at 2–3. Importantly, too, Defendants do not oppose this motion and the deadline for amendment had not passed when Plaintiffs filed this motion on July 31, 2022. *See* Scheduling Order, Dkt. 7 (setting out an August 1, 2022, deadline for parties to file a motion to amend pleadings).

**IT IS ORDERED** that Plaintiffs’ Motion for Leave to Amend, Dkt. 8, is **GRANTED**, and the **CLERK** is **DIRECTED** to file the Amended Complaint, Dkt. 8-1, in the record.

  
The image shows a handwritten signature in black ink that reads "Thomas B. Russell". The signature is written in a cursive style. Behind the signature, there is a circular seal of the United States District Court for the District of Columbia. The seal features an eagle with wings spread, perched on a shield, with the words "UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA" around the perimeter.

**Thomas B. Russell, Senior Judge  
United States District Court**

August 24, 2022