

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Civil Action No. 14-10370-RWZ

RONALD W. FARRIER, JR.

v.

NAPHCARE, INC., ET AL.

ORDER

July 8, 2014

ZOBEL, D.J.

Plaintiff Ronald W. Farrier, an inmate at the Suffolk County House of Correction, initiated this civil rights action on February 18, 2014. By Orders dated May 5, 2014 and May 28, 2014, the Court allowed plaintiff to amend his complaint. Docket ## 8, 14. The May 28th Order directed plaintiff to “cease filing amendments to the complaint every five days.” Docket #14.

Two days later, on May 30, 2014, the Court received plaintiff’s fifth motion to amend.¹ See Docket #15. The motion is substantially similar to plaintiff’s earlier motions. On June 27, 2014, the Court received a letter from plaintiff seeking, among other things, summonses to serve defendants Cesar Novoa, Andrea Cabral and Steven Thompkins. See Docket #21. On June 23, 2014, defendants McIntyre and Naphcare were granted an extension of time to July 18, 2014 to answer. See Electronic Order, Docket #20.

Under these circumstances, the Court denies plaintiff’s motion to amend. See Villanueva v. United States, 662 F.3d 124, 127 (1st Cir. 2011) (affirming denial of a motion to amend to add a new claim and new defendants that was brought four months after the filing of the complaint where the plaintiff offered no justification for the delay); Kay v. N.W.

¹It is unlikely that plaintiff received a copy of the Court’s May 28th Order before filing the instant motion to amend.

Democratic Party, 821 F.2d 31, 34 (1st Cir. 987) (affirming a finding of undue delay where almost three months had elapsed). The Clerk shall mail to plaintiff copies of this Order, the summonses that were issued on May 6, 2014 and a copy of amended complaint #12 (the operative complaint).

SO ORDERED.

/s/ Rya W. Zobel
UNITED STATES DISTRICT JUDGE