

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

HAILEY TAYLOR

PLAINTIFF

v.

CIVIL ACTION NO. 3:23cv401-DMB-RP

RICH PRECIADO, et al.

DEFENDANT

**ORDER GRANTING MOTION TO STRIKE AMENDED COMPLAINT AND
ORDERING PLAINTIFF TO SHOW CAUSE**

This matter is before the court on the defendants Marshal County, Rick Precadio & Sarah Jean Liddy's Motion to Strike Unauthorized Amended Complaint. ECF #81. The court finds the motion is well taken and should be granted without the necessity of hearing a response from the plaintiff.

On June 12, 2024, the *pro se* plaintiff Hailey Taylor moved for leave to file an amended complaint and attached to her motion a copy of the proposed amended complaint as required by local rule. ECF #45. On August 7, 2024, the court granted the plaintiff's motion and ordered her to file her amended complaint "in the form attached to the motion" within seven days after entry of the order. ECF #72. On August 14, 2024, the plaintiff filed an amended complaint. ECF #75. However, as the movants now point out, the plaintiff did not file an amended complaint in the form attached to her motion as ordered by the court; instead, she filed a different amended complaint.

Even a cursory review of the plaintiff's lengthy amended complaint reveals that it differs significantly from the proposed amended complaint she was granted leave to file. Whereas the proposed amended complaint was 47 pages long, the filed amended complaint is 51 pages long; whereas the proposed amended complaint contained 320 numbered paragraphs of allegations, the

filed amended complaint contains 323 numbered paragraphs of allegations; and whereas the proposed amended complaint contained 12 lettered paragraphs of requested relief, the filed amended complaint contains 13 lettered paragraphs of requested relief. This is a clear violation of the court's order granting leave.

THEREFORE, the defendants Marshal County, Rick Precadio & Sarah Jean Liddy's Motion to Strike Unauthorized Amended Complaint [ECF #81] is GRANTED, and the plaintiff's First Amended Complaint [ECF #75] is hereby STRICKEN.

FURTHER, as the court stated in its order granting the plaintiff leave to file an amended complaint, the court has been very lenient concerning the plaintiff's failure to meet filing deadlines in this case, including her failure to meet the deadline for motions to amend and the briefing deadlines in connection therewith. Nonetheless, after being granted leave to file an amended complaint in the form attached to her untimely motion, the plaintiff filed a different amended complaint. This is sanctionable conduct. Therefore, the plaintiff is ORDERED TO SHOW CAUSE, no later than September 6, 2024, as to why the court should not impose sanctions against her, up to and including dismissal of this action, for failing to meet filing deadlines, failing to comply with court rules and, moreover, failing to comply with an order of the court. If the plaintiff fails to respond and show cause as required by this order, the court will impose sanctions against her, up to and including dismissal of this action.

SO ORDERED, this, the 28th day of August, 2024.

/s/ Roy Percy
UNITED STATES MAGISTRATE JUDGE