

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION**

CRAIG DAWDY,)	
)	
Plaintiff,)	
)	
v.)	No. 2:17-CV-49 AGF
)	
LARRY ALLEN, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on pro se plaintiff Craig Dawdy’s motion for leave to file a second amended complaint. In his motion, plaintiff states that he seeks to file a second amended complaint to add Count X, alleging claims against defendant Renee Wombles under the First and Fourteenth Amendment. Plaintiff also seeks leave to file a second amended complaint to remove defendant Shelly Orf from the case. The Court has found previously that defendant Orf should be dismissed. *See* ECF No. 8.

Rule 15 of the Federal Rules of Civil Procedure states that “[t]he court should freely give leave [to amend] when justice so requires.” In this case, the Court has issued its waiver of service letter to defendants, but defendants have not filed responsive pleadings. The case is in its initial stages, and the Court will grant plaintiff leave to file his second amended complaint.

Additionally, the Court has reviewed plaintiff’s second amended complaint, particularly Count X. The Court finds that Count X states a plausible claim against defendant Renee Wombles for violations of plaintiff’s First and Fourteenth Amendment rights. The Court will order the Clerk of Court to issue process or cause process to issue upon the second amended

complaint pursuant to the service agreement the Court maintains with the Missouri Attorney General's Office as to defendant Renee Wombles.


Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for leave to file a second amended complaint is **GRANTED**. [ECF No. 9]

IT IS FURTHER ORDERED that the Clerk of Court shall detach and docket the second amended complaint, which was submitted as an attachment to the motion for leave.

IT IS FURTHER ORDERED that the Clerk of Court shall issue process or cause process to issue upon the second amended complaint pursuant to the service agreement the Court maintains with the Missouri Attorney General's Office as to defendant Renee Wombles.

Dated this 30th day of April, 2018.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE