

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

FRANKLIN MORRIS,	)	
	)	
Plaintiff(s),	)	
	)	
vs.	)	Case No. 4:07CV1629 JCH
	)	
LT. LARRY DOYLE, et al.,	)	
	)	
	)	
Defendant(s).	)	

**MEMORANDUM AND ORDER**

Upon review of the Court file and upon reconsideration of Plaintiff Franklin Morris’ Motion for Leave to File Amended Complaint, Pursuant to Rule 15(e) of the Federal Rules of Civil Procedure, and Motion to Defer Dispositive Rulings Pending Filing of Amended Complaint and Incorporated Memorandum of Law (Doc. No. 35), the Court finds that Plaintiff has provided a sufficient basis to allow him to file an Amended Complaint.

Accordingly,

**IT IS HEREBY ORDERED** that, within fourteen (14) days, Plaintiff shall file an Amended Complaint.

**IT IS HEREBY FURTHER ORDERED** that Plaintiff Franklin Morris’ Motion for Leave to File Amended Complaint, Pursuant to Rule 15(e) of the Federal Rules of Civil Procedure, and Motion to Defer Dispositive Rulings Pending Filing of Amended Complaint and Incorporated Memorandum of Law (Doc. No. 35) is **GRANTED**. This Court’s January 13, 2009 Order (Doc. No. 36) is **VACATED**.

**IT IS HEREBY FURTHER ORDERED** that Defendant United States of America’s Motion

to Dismiss for Lack of Jurisdiction (Doc. No. 20) is **DENIED** as moot.

**IT IS HEREBY FURTHER ORDERED** that Defendants Larry Doyle's, Lloyd Swafford's and Scott Bonney's Motion for Summary Judgment (Doc. No. 23) is **DENIED** as moot.

**IT IS HEREBY FURTHER ORDERED** that Plaintiff's Motions to Move Case to Trial, Substantiate Facts Pertaining to Defendant's Negligence, Deny Defendant's Summary Judgment (Doc. Nos. 28, 30) are **DENIED** as moot.

**IT IS HEREBY FURTHER ORDERED** that Plaintiff Franklin Morris' Motion to Modify Case Management Order (Doc. No. 37) is **DENIED**, without prejudice.

**IT IS HEREBY FURTHER ORDERED** that Plaintiff Franklin Morris' Motion to Strike Defendant United States' Memorandum in Opposition to Plaintiff's Motion to Modify Case Management Order[,] and in the Alternative, Motion for Enlargement of Time to File a Reply Brief (Doc. No. 42) and Plaintiff Franklin Morris' Motion to Strike Defendants Larry Doyle, Lloyd Swaffords & Scott Bonney's Memorandum in Response to Plaintiff's Motion to Modify Case Management Order[,] and in the Alternative, Motion for an Enlargement of Time to File a Reply Brief (Doc. No. 43) are **DENIED** as moot.

Dated this 25th day of June, 2009.

/s/ Jean C. Hamilton

UNITED STATES DISTRICT JUDGE