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5	UNITED STATES DISTRICT COURT
6	DISTRICT OF NEVADA
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8)
9	LINWOOD EDWARD TRACY, JR.; et al.,) 3:11-cv-0436-LRH-VPC
10	Plaintiffs,
11	v.) <u>ORDER</u>
12	CEO, SUCCESSOR FOR DEUTSCHE) NATIONAL TRUST COMPANY; et al.,)
13) Defendants.
14)
15	Before the court are plaintiff Linwood Edward Tracy, Jr.'s ("Tracy") motions to amend his
16	complaint. Doc. ##149, 150, 152.1
17	I. Facts and Background
18	At its core, this is a wrongful foreclosure and wrongful taxation action. Plaintiff William
19	Gerald Fillion ("Fillion") owned real property in California which was subject to state, county, and
20	city tax assessments. The tax assessments went unpaid and eventually the property was foreclosed
21	upon.
22	On June 21, 2011, plaintiffs filed a civil rights complaint against defendants for violation of
23	their First and Fourth Amendment rights. See Doc. #1. In particular, plaintiffs challenge the tax
24	assessments and foreclosure claiming that the property belonged to a non-profit organization. In
25	response, defendants filed a series of motions to dismiss which were granted by the court.
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	¹ Refers to the court's docket number.

Thereafter, Tracy filed the present motions to amend his complaint.

II. Discussion

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A party may amend its pleadings after a responsive pleading has been filed by leave of court. FED. R. CIV. P. 15(a)(2). Leave of court to amend should be freely given when justice so requires and when there is no undue delay, bad faith, or dilatory motive on the part of the moving party. *See Wright v. Incline Village General Imp. Dist.*, 597 F.Supp.2d 1191 (D. Nev. 2009); *DCD Programs, LTD v. Leighton*, 883 F.2d 183 (9th Cir. 1987).

Here, Tracy seeks to add additional claims against the already dismissed defendants and to
add additional defendants to this action. *See* Doc. ##149, 150, 152. However, Tracy has failed to
provide a copy of the proposed amended complaint in accordance with LR 15-1. Further, the court
has reviewed Tracy's motions and finds that they are untimely as they have been brought more than
six months after most defendants have been dismissed. Finally, the court finds that allowing an
amended complaint adding additional claims would unduly prejudice those defendants that have
already been dismissed. Accordingly, the court shall deny Tracy's motions to amend.

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IT IS THEREFORE ORDERED that plaintiff's motions to amend (Doc. ##149, 150, 152) are DENIED.

IT IS SO ORDERED.

DATED this 5th day of July, 2012.

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LARRY R. HICKS UNITED STATES DISTRICT JUDGE