

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

WILLIAM D. FOX,
Plaintiff

v.

DENISE A. ASKREN, *et al.*,
Defendants.

Case No. 1:13-cv-872

Black, J.
Litkovitz, M.J.

ORDER

This matter is before the Court *sua sponte* regarding pro se plaintiff's amended complaint (Doc. 16), filed March 17, 2014.

Plaintiff's original complaint was removed from Clermont County Court of Common Pleas and was filed on the docket of this Court on December 2, 2013. (Docs. 1, 2). Defendants subsequently filed answers to plaintiff's complaint. *See* Docs. 6, 14. Without seeking leave of Court, plaintiff filed an amended complaint on March 17, 2014. *See* Doc. 16.

Pursuant to Federal Rule of Civil Procedure 15, plaintiff may amend his complaint only "with the opposing party's written consent or the court's leave."¹ Fed. R. Civ. P. 15(a)(2). Here, plaintiff filed his amended complaint without seeking leave of this Court or submitting proof of defendants' written consent to the amendment. As plaintiff's filing does not comport with the requirements of Rule 15, plaintiff's amended complaint (Doc. 16) is hereby **STRICKEN** from the docket of the Court.

IT IS SO ORDERED.

Date: 3/18/14


Karen L. Litkovitz
United States Magistrate Judge

¹Rule 15(a)(1) provides that a party may amend a pleading as a matter of course on one occasion within 21 days of serving it; however, as more than 21 days have passed since the filing of plaintiff's original complaint, the time for permissive amendment has passed. *See* Fed. R. Civ. P. 15(a)(1)(A).