

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHRISTOPHER PAIGE, et al.,	:	Civil No. 3:15-CV-779
	:	
Plaintiff,	:	
	:	
v.	:	(Judge Mariani)
	:	
U.S. BANKRUPTCY COURT, et al.,	:	(Magistrate Judge Carlson)
	:	
Defendants.	:	

MEMORANDUM AND ORDER

The background of this order is as follows:

The plaintiffs commenced this action by filing a *pro se* complaint. (Doc. 1.)

The plaintiffs now seek to file an amended complaint prior to the completion of service of any pleadings on the defendants or the filing of any answer or responsive pleading by that defendants, (Doc. 5.), to simply correct a factual averment in their original complaint. Such motions are governed by Rule 15(a) of the Federal Rules of Civil Procedure, which strongly favors amendment of pleadings at the outset of litigation. Rule 15(a), F.R. Civ. P. provides in pertinent part as follows:

(a) Amendments Before Trial.

(1) *Amending as a Matter of Course.* A party may amend its pleading once as a matter of course within:

- (A) 21 days after serving it, or
- (B) if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading

In this case the plaintiff timely sought leave to amend. Therefore, the plaintiff should be granted leave to amend this complaint under Rule 15. Of course, nothing in this decision implies any views on the ultimate merits of the issues raised in the amended complaint, an issue that will be reserved for another time. The plaintiff is also placed on notice that this amended complaint will be subject to screening review by the court and that some claims and defendants may be subject to summary dismissal.

Accordingly, for the foregoing reasons, IT IS ORDERED that the plaintiff's motion for leave to amend (Doc. 5.) is GRANTED.

SO ORDERED, this 21st day of May 2015.

/s/ Martin C. Carlson
Martin C. Carlson
United States Magistrate Judge