

**JONATHAN RAMIREZ by and through
ERIC RAMIREZ, Administrator,
Individually and in his Representative
Capacity on Behalf of the Estate of
Jonathan Ramirez, Deceased,**

Plaintiff,

v.

**BEXAR COUNTY, TEXAS;
AMADEO ORTIZ, Bexar County Sheriff,
in his Individual Capacity;
UNKNOWN, UNNAMED OFFICERS/
EMPLOYEES OF THE BEXAR COUNTY
SHERIFF’S OFFICE, Individually and
Officially; BEXAR COUNTY HOSPITAL
DISTRICT,**

Defendants.

SA-10-CV-0296 FB (NN)

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with the judge's consent.”³ “The good cause standard requires the ‘party seeking relief to show that the deadlines cannot reasonably be met despite the diligence of the party needing the extension.’”⁴ In determining whether the good-cause standard has been met, the court considers four factors: (1) the movant's explanation for the failure to timely move for leave to amend, (2) the importance of the amendment, (3) potential prejudice in allowing the amendment, and (4) the availability of a continuance to cure such prejudice.⁵

The plaintiff's motion does not address these factors. Consequently, the plaintiff failed to establish good cause.³ The motion (docket entry # 63) is ORDERED DENIED.

SIGNED on March 31, 2011.



NANCY STEIN NOWAK
UNITED STATES MAGISTRATE JUDGE

³Fed. R. Civ. P. 16(b).

⁴*S&W Enterprises*, 315 F.3d at 535 (citation omitted).

⁵*S&W Enterprises*, 315 F.3d at 536.

³*Accord Garcia v. Unit Drilling Co.*, 396 Fed. App'x 133, 136 (5th Cir. 2010) (affirming denial of plaintiff's motion to amend her complaint where plaintiff offered no explanation for delay in amending pleadings); *Smith v. BCE Inc.*, 225 Fed. App'x 212, 217 (5th Cir. 2007) (upholding denial of motion to amend where plaintiff failed to present arguments about the good-cause factors); *Love v. Ford Motor Co.*, 212 Fed. App'x 292, 295 (5th Cir. 2006) (determining that district court did not abuse its discretion in denying plaintiffs' motion to amend because plaintiffs did not explain delay in seeking leave to amend).