

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFILED

JAMES CARR, JR.,

Plaintiff,

v.

Civil Action No. 1:11-cv-00019

JANE DOE, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

Before the court is plaintiff's motion to amend complaint (Doc. # 12) filed on March 31, 2011. Plaintiff wishes to amend his Complaint in order to substitute Jennifer Riffe for a previously-named "Jane Doe" defendant.

Federal Rule of Civil Procedure 15 governs the amendment of pleadings. Rule 15(a)(1) provides a plaintiff with the opportunity to amend his or her Complaint once as a matter of course, subject to certain time limitations. Rule 15(a)(2), on the other hand, provides that "In all other cases, a party may amend its pleading only with the opposing party's written consent or the court's leave. The court should freely give leave when justice so requires."

The existing, named defendants in the case have agreed, in writing, to plaintiff's proposed amendment. See Proposed Agreed Order (Doc. # 18). Accordingly, the court **GRANTS** plaintiff leave to amend his Complaint, and **ORDERS** him to file an Amended

Complaint within ten (10) days of the entry of this Memorandum Opinion and Order.

It is **SO ORDERED** this 27th day of June, 2011.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", written over a horizontal line.

David A. Faber
Senior United States District Judge