

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

GEORGE M. LENIART,	:	
Plaintiff,	:	
	:	
v.	:	CASE NO. 3:09-cv-9 (CFD)
	:	
WILLIAM BUNDY et al.,	:	
Defendants.	:	

RULING ON PLAINTIFF'S MOTION TO AMEND

The plaintiff, George M. Leniart, seeks leave to file an amended complaint to clarify his claims. The proposed amended complaint does not include Detective Marty Graham as a defendant and eliminates the plaintiff's claims regarding his business.

The plaintiff may amend his complaint once as of right within twenty-one days of service or within twenty-one days after service of an answer or motion to dismiss, whichever is earlier. Fed. R. Civ. P. 15(a)(1). Those dates have long passed. Thus, the plaintiff cannot amend his complaint as of right.

The Court should grant leave to amend when justice so requires. Fed. R. Civ. P. 15(a)(2). Underlying this rule is an assumption that the amended complaint will clarify or amplify the original cause of action. See Klos v. Haskell, 835 F. Supp. 710, 715 n.3 (W.D.N.Y. 1993), aff'd, 48 F.3d 81 (2d Cir. 1995). The proposed amended complaint eliminates one defendant and some claims. The amendment will clarify the claims in this case.

The plaintiff's motion for leave to amend [**Doc. #32**] is

GRANTED. The Clerk is directed to docket the proposed amended complaint.

SO ORDERED this 27th day of May 2010, at Hartford, Connecticut.

/s/ Thomas P. Smith
Thomas P. Smith
United States Magistrate Judge