

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

JEFFREY THOMAS, JR.,
Pro se Plaintiff,

v.

Civil No. 3:22cv427 (DJN)

SUSAN BEALS *et al.*,
Defendants.

ORDER
(Extending Briefing Deadlines)

This matter comes before the Court on Plaintiff's Amended Complaint (ECF No. 14) and Defendants' Motion for Immediate Status Conference and For Relief From June 13 Order (ECF No. 15). Despite the Court holding a hearing and granting Plaintiff's request for expedited briefing on his previous Complaint, Plaintiff has filed an Amended Complaint that will further delay the resolution of this matter. Plaintiff did not move for leave to file the Amended Complaint, but Plaintiff's amendment falls within the time that Federal Rule of Civil Procedure 15 allows for amendment as a matter of course. Accordingly, the Amended Complaint shall now be the operative complaint in this action. Given that Rule 15 allows only one amendment as a matter of course, should Plaintiff seek to file a second amended complaint, he must seek leave of Court by filing a motion under Rule 15 that demonstrates good cause.

Because the Amended Complaint adds new parties and raises significant additional factual and legal allegations, the Court hereby GRANTS IN PART Defendants' Motion (ECF No. 15) and hereby MODIFIES the Briefing Schedule (ECF No. 10) as follows:

1. Plaintiffs and Defendants shall meet and confer and file a joint stipulation of the facts relevant to Defendants' Motion no later than June 24, 2022. All parties, including the

newly added parties, shall participate in good faith in the meet and confer to maximize the facts to which the parties will stipulate.

2. Defendants shall file their Motion to Dismiss, laying out all of their jurisdictional and non-jurisdictional grounds for dismissal, on or before July 1, 2022.

3. Plaintiffs shall respond to the Motion within eight (8) days after Defendants file their Motion. In their response, all Plaintiffs must address their significant delay in filing the original Complaint and, subsequently, the Amended Complaint.

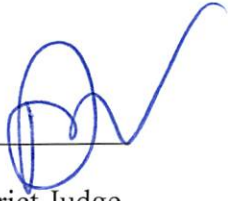
4. Defendants shall file their Reply within five (5) days after Plaintiffs file their Response.

5. Should any party believe that a further extension of the briefing schedule is necessary, they must file a motion by Monday, June 20, 2022. The party must demonstrate compelling reasons to warrant further extension. Additionally, the Court hereby DENIES IN PART Defendants' Motion (ECF No. 15) to the extent that it requests another status conference. The Court will only conduct another status conference at this time if compelling circumstances are demonstrated. The Court believes that this revised schedule allows the case to proceed expeditiously while affording the parties sufficient time to fully address the issues in their briefs.

Let the Clerk file a copy of this Order electronically, notify all counsel of record and any party not represented by counsel and forward a copy to *pro se* Plaintiffs at their addresses of record.

It is so ORDERED.

_____/s/_____
David J. Novak
United States District Judge



Richmond, Virginia
Dated: June 16, 2022