



Jl-FL-002-003

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA

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BOBBY M., et al.,)	
)	
Plaintiffs,)	No. TCA 83-7003
)	
v.)	
)	
ROBERT GRAHAM, et al.,)	
)	
Defendants.)	

MOTION TO ADD NAMED PLAINTIFFS AND AMEND COMPLAINT

Plaintiffs, by and through their counsel undersigned, move this Court for an order pursuant to Rules 15(a) and 21 of the Federal Rules of Civil Procedure granting leave to amend plaintiffs' complaint to add party plaintiffs. Plaintiffs move this Court to amend the complaint, previously amended once upon order of the Court, in order to amplify the complaint to include minors who have been confined in the Okeechobee facility since the filing of the original complaint.

The complaint has also been amended pursuant to Rule 25(d) of the Federal Rules of Civil Procedure to substitute certain public officers as parties who are the successors of previously named defendants.

Plaintiffs are moving for leave to amend the complaint

1 despite the fact that it appears that an order from the Court may
2 not arguably be necessary. The previous amendment to the
3 complaint in this case was made at the request of the Court. Rule
4 15 provides that a party may amend this complaint once as a matter
5 of course at any time before a responsive pleading is served. In
6 this case, no responsive pleading has yet been served and the
7 amendment was not occasioned by the desires or actions of the
8 plaintiffs.

9 Nonetheless, this motion to amend is being made in the
10 alternative upon the grounds and for the reasons that amending the
11 complaint to include a new plaintiff imposes no burdens on either
12 plaintiffs or defendants. Substantive claims made by the new
13 plaintiffs are similar to those set forth by the named plaintiffs
14 in their original complaint. The claims arise from the same
15 factual legal situations as set forth by the original named
16 plaintiffs and involve the same questions of law.

17 Dated: June 2, 1986

18 Respectfully submitted,

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