

SOUTHERN DISTRICT COURT OF INDIANA INDIANAPOLIS DIVISION

Robbin Stewart,

Plaintiff

v

Marion County Election Board,

Myla Eldridge, Steven Rose,

Loreta Jones, Jane Doe #4,

Defendants.

MOTION FOR LEAVE TO FILE

Comes now plaintiff and for his motion states as follows.

At a status conference last Tuesday, the complaint, filed in august 2018, be refiled with a motion for leave. This is that motion and that filing. Because of the time constraints, I did not write a longer motion.

Respectfully submitted,



/s/Robbin Stewart

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Certification:

a copy is being sent to grant helms and curtis hill via hand delivery or us mail or email.

/s/ Robbin Stewart



Leave to amend is GRANTED IN PART AND DENIED IN PART as follows: The allegations set forth in paragraphs 21-25 of the Second Amended Complaint, though descriptive of a new event, have enough in common factually and legally with the original allegations to make joinder through amendment appropriate. That is not the case with respect to paragraphs 26-37 of the Second Amended Complaint, so leave to add that claim to this case is denied. The operative complaint in this case is therefore the Second Amended Complaint (which the court directs the Clerk to file) paragraphs 1 through 25 plus the "Relief Sought" section. The court further notes that the Second Amended Complaint purports to name "Jane Doe #4" as a defendant, but the plaintiff can obtain no relief against an unnamed and unserved defendant.

DML
10/11/18