

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

Romeo Drawn v. Utah State Board of Education, Salt Lake City
School District, West High School, and Roes I-X

Drawn · No. 2:24-cv-374 HCN DBP · Decided May 28, 2026

SUMMARY

The United States District Court for the District of Utah denied Romeo Drawn’s motion to file a proposed Fourth Amended Complaint. The court held that the motion was untimely because it was filed nearly four months after the amendment deadline and that the plaintiff did not adequately explain the delay, declining to reach the defendants’ futility arguments.

CASE DETAILS

COURT	United States District Court for the District of Utah
WRITING FOR THE COURT	Dustin B. Pead
JURISDICTION	United States District Court for the District of Utah
DECIDED	May 28, 2026
DOCKET	2:24-cv-374 HCN DBP
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to file a Fourth Amended Complaint after the court had granted defendants' motion to strike his prior amended complaint.
STANDARD OF REVIEW	A motion to amend under Federal Rule of Civil Procedure 15(a) is evaluated under the factors of undue prejudice, undue or inexplicable delay, bad faith or dilatory motive, futility, and failure to cure deficiencies. In the Tenth Circuit, untimeliness alone is sufficient reason to deny leave to amend.
PRECEDENTIAL VALUE	unpublished
PARTIES	Romeo Drawn v. Utah State Board of Education, Salt Lake City School District, West High School, Roes I-X

TOPICS

- motion to amend
- pleadings
- civil procedure
- title vii
- employment discrimination

PRACTICE AREAS

civil procedure

employment law

civil rights

QUESTIONS PRESENTED

1. Whether plaintiff should be granted leave under Federal Rule of Civil Procedure 15(a) to file a Fourth Amended Complaint after the scheduling-order deadline had passed.
2. Whether the proposed amendment was sufficiently justified despite plaintiff's delay.

HOLDINGS

1. Leave to amend was properly denied because plaintiff filed the motion nearly four months after the stipulated deadline and offered no adequate explanation for the delay.
2. The court did not need to address futility because the motion was independently untimely.

KEY QUOTATIONS

"In the Tenth Circuit, "[i]t is well settled in this circuit that untimeliness alone is a sufficient reason to deny leave to amend,"" (Discussion)

"Plaintiff's Motion to Amend is DENIED." (Order)

FACTUAL BACKGROUND

Drawn was hired as a student security employee at West High School on September 21, 2022. He alleged that students harassed him with racial and sexual-orientation slurs, that school authorities did not adequately respond to his complaints, and that he was placed on unpaid administrative leave and terminated in January 2023. He sought to add allegations based on September 2025 testimony before a Utah legislative committee concerning school safety and violence.

PROCEDURAL HISTORY

Drawn filed a motion to amend nearly four months after the stipulated deadline for amendment. The court had previously granted defendants' motion to strike the amended complaint. The magistrate judge denied the motion to amend as untimely and did not reach defendants' alternative futility arguments.

DISPOSITION

other

CASES CITED

- Shifrin v. Toll, 483 F. App'x 446, 450 (10th Cir. 2012)
- Frank v. U.S. West, Inc., 3 F.3d 1357, 1365 (10th Cir. 1993)
- Jefferson County Sch. Dist. v. Moody's Investor's Services, 175 F.3d 848, 859 (10th Cir. 1999)

