

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
GEORGIA, VALDOSTA DIVISION

Roscoe Prosser v. Stam Express and Paul Laskaris

Prosser · No. 7:25-CV-00020 (WLS) · Decided March 11, 2026

SUMMARY

The court grants Roscoe Prosser’s motion for leave to file a second amended complaint under Federal Rule of Civil Procedure 15(a)(2). The court denies as moot the defendants’ partial summary judgment motion concerning claims that were removed from the amended complaint and sets the matter for trial during the May 2026 Valdosta Division trial term.

CASE DETAILS

COURT	United States District Court for the Middle District of Georgia, Valdosta Division
WRITING FOR THE COURT	W. Louis Sands, Sr. Judge
JURISDICTION	United States District Court for the Middle District of Georgia, Valdosta Division
DECIDED	March 11, 2026
DOCKET	7:25-CV-00020 (WLS)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to file a second amended complaint under Federal Rule of Civil Procedure 15(a)(2), following the Court's direction that claims previously dismissed unilaterally in response to a partial summary-judgment motion be removed through an amended pleading.
STANDARD OF REVIEW	Leave to amend under Federal Rule of Civil Procedure 15(a)(2) is committed to the Court's discretion and should be freely given when justice so requires.
PRECEDENTIAL VALUE	unpublished and nonprecedential district-court order

TOPICS

- motion to amend
- pleadings
- summary judgment
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Plaintiff should be granted leave under Federal Rule of Civil Procedure 15(a)(2) to file a second amended complaint removing specified claims.
2. Whether Defendants' partial summary-judgment motion should be denied as moot after those claims were properly dismissed through the amended complaint.

HOLDINGS

1. Leave to amend should be granted because Rule 15(a)(2) provides that courts should freely give leave when justice so requires, and leave was appropriate under the circumstances.
2. Defendants' motion for partial summary judgment was denied as moot as to the claims for negligent hiring, training, and supervision, punitive damages, and attorneys' fees because those claims had been properly dismissed through the amended complaint.

FACTUAL BACKGROUND

Plaintiff asserted claims against Stam Express and Paul Laskaris, including claims for negligent hiring, training, and supervision, punitive damages, and attorneys' fees. Defendants sought partial summary judgment on those claims. Plaintiff sought to remove the claims through a second amended complaint after the Court determined that an amended pleading, rather than a unilateral dismissal in response to summary judgment, was the proper procedural mechanism.

PROCEDURAL HISTORY

Defendants moved for partial summary judgment on claims for negligent hiring, training, and supervision, punitive damages, and attorneys' fees. Plaintiff responded by unilaterally dismissing those claims, and the Court previously ruled that dismissal had to occur through an amended complaint. Plaintiff timely moved for leave to file a second amended complaint. The Court granted leave, directed the Clerk to file the amended complaint, denied the partial summary-judgment motion as moot as to the dismissed claims, and noticed the matter for trial.

DISPOSITION

other

CASES CITED

- *Dresdner Bank AG v. M/V Olympia Voyager*, 463 F.3d 1210, 1215 (11th Cir. 2006)

OPINION

PROSSER

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE MIDDLE DISTRICT OF GEORGIA

VALDOSTA DIVISION

ROSCOE PROSSER, : Plaintiff, :

v. : CASE NO.: 7:25-CV-00020 (WLS)

STAM EXPRESS and PAUL LASKARIS, : Defendants. :

ORDER

Before the Court is Plaintiff's Motion for Leave to Amend Pleadings (Doc. 21), filed on March 9, 2026, and pursuant to the Court's previous Order (Doc. 20). Therein, Plaintiff seeks leave to file a second amended complaint, pursuant to Federal Rule of Civil Procedure 15(a)(2). Previously, Defendants Stam Express and Paul Laskaris filed a Motion for Partial Summary Judgment (Doc. 14) on Plaintiff's claims for negligent hiring, training, and supervision, punitive damages, and attorneys' fees. In response to the motion, Plaintiff unilaterally dismissed those claims. (Doc. 19). The Court determined that the proper method of dismissing these claims was the filing of an amended complaint, rather than dismissal in response to a motion for summary judgment. (See Doc. 20). Thus, the Court ordered Plaintiff to move to file a second amended complaint which would remove the claims for negligent hiring, training, and supervision, punitive damages, and attorneys' fees within seven days of the Court's Order. (See *id.*) Plaintiff timely filed the instant Motion for Leave to Amend. Under Rule 15(a)(2), after the period in which a pleading may be amended as a matter of course, a party may amend a pleading only by leave of the Court. Fed. R. Civ. P. 15(a)(2). A court "should freely give leave when justice so requires." *Id.* The Court finds that leave to amend is appropriate here. Accordingly, Plaintiff's Motion (Doc. 21) is GRANTED. The Clerk is DIRECTED to file Plaintiff's Amended Complaint, which is attached to the instant Motion, on the Record. Additionally, Plaintiff's claims for negligent hiring, training, and supervision, punitive damages, and attorneys' fees having now been properly dismissed, Defendants' Motion for Partial Summary Judgment (Doc. 14) as to those claims is DENIED, as moot. See, e.g., *Dresdner Bank AG v. M/V Olympia Voyager*, 463 F.3d 1210, 1215 (11th Cir. 2006) (holding that an amended complaint supersedes the previous pleading). Further, the Motion for Partial Summary Judgment having been denied as moot, this matter is ready for trial. Therefore, the trial in this matter is noticed for the Valdosta Division May 2026 trial term to begin on Monday, May 4, 2026. A separate Order or notice to prepare a proposed pretrial order will be issued by the Court. SO ORDERED, this 11th day of March 2026. /s/ W. Louis Sands

W. LOUIS SANDS, SR. JUDGE

UNITED STATES DISTRICT COURT