

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)