

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

Alexander Harrison West v. PF Changs China Bistro

West · No. 1:25-cv-0150-DBP · Decided February 16, 2026

SUMMARY

The United States District Court for the District of Utah denied without prejudice Alexander Harrison West’s motion to amend his complaint against PF Changs China Bistro. The court found that the proposed amendment appeared materially different from the original complaint and contained an apparent defendant-identification error, and allowed Plaintiff 30 days to file a new motion to amend and amended complaint.

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	February 16, 2026
DOCKET	1:25-cv-0150-DBP
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to amend his complaint in an Americans with Disabilities Act action. The court denied the motion without prejudice because the proposed amendment materially differed from the original complaint and appeared to identify a different defendant.
PRECEDENTIAL VALUE	Unknown
PARTIES	Alexander Harrison West v. PF Changs China Bistro

TOPICS

- motion to amend
- pleadings
- civil procedure
- ada / disability
- civil rights

PRACTICE AREAS

- Civil procedure
- Americans with Disabilities Act
- Civil rights

QUESTIONS PRESENTED

1. Whether Plaintiff's motion to amend should be granted when the proposed amendment materially differs from the original complaint and appears to identify a different defendant.
2. What pleading requirements Plaintiff must satisfy if he files a new amended complaint.

HOLDINGS

1. The motion to amend is denied without prejudice because the proposed amendment materially differs from the original complaint and appears to have been filed in error, including its identification of a different defendant.
2. If Plaintiff files an amended complaint, it must stand on its own, must reallege all claims he intends to pursue, must identify what each named defendant did to violate his rights, and must separately state each cause of action with supporting facts and citations.

KEY QUOTATIONS

"The Amended Complaint must stand entirely on its own and shall not refer to, or incorporate by reference, any portion of the original complaint."

"The Amended Complaint must clearly state what each named Defendant did to violate Plaintiff's rights."

"Each cause of action, together with the facts and citations that support the cause of action, should be stated separately."

FACTUAL BACKGROUND

Plaintiff originally brought claims under the Americans with Disabilities Act against PF Changs China Bistro. In his motion to amend, he stated that he was suing PF Changs, but the accompanying civil cover sheet named The Church of Jesus Christ of Latter Day Saints and omitted PF Changs. The court concluded that the proposed amendment was materially different from the original complaint and appeared to have been filed in error.

PROCEDURAL HISTORY

West initially sued PF Changs China Bistro under the Americans with Disabilities Act. He later moved to amend, but the proposed filing's civil cover sheet named The Church of Jesus Christ of Latter Day Saints rather than PF Changs. The court denied the motion without prejudice and allowed Plaintiff thirty days to file a new motion to amend with an amended complaint.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand was ordered. Plaintiff was permitted to file a new motion to amend together with an amended complaint within thirty days of the order.

CASES CITED

- Pierce v. Williams, 2020 U.S. Dist. LEXIS 185074, at *6 (E.D. Okla. Oct. 6, 2020) (unpublished)
- Miller v. Glanz, 948 F.2d 1562, 1565 (10th Cir. 1991)
- Murray v. Archambo, 132 F.3d 609, 612 (10th Cir. 1998)
- Bennett v. Passic, 545 F.2d 1260, 1262-63 (10th Cir. 1976)

OPINION

West

PER CURIAM.

THE UNITED STATES DISTRICT COURT

DISTRICT OF UTAH

ALEXANDER HARRISON WEST, MEMORANDUM DECISION AND
ORDER DENYING WITHOUT

Plaintiff, PREJUDICE MOTION TO AMEND v. Case No. 1:25-cv-0150-DBP

PF CHANGS CHINA BISTRO,

Defendant. Magistrate Judge Dustin B. Pead Pro se Plaintiff Alexander Harrison West moves the court to amend the Complaint.¹ The court has carefully reviewed Plaintiff's proposed amendment and finds it is materially different than the original complaint and appears to be made in error. Plaintiff originally sued PF Changs China Bistro bringing claims under the Americans with Disabilities Act.² In the Motion to Amend, Plaintiff notes he is bringing suit against PF Changs, however, the civil cover sheet names an entirely different Defendant, The Church of Jesus Christ of Latter Day Saints and does not list PF Changs despite that being the focus of Plaintiff's stated grievance. Thus, it appears Plaintiff's filing is an error. The court therefore orders as follows: Plaintiff's Motion to Amend is DENIED WITHOUT PREJUDICE. Plaintiff is to file a new motion to amend along with an amended complaint if desired within thirty (30) days from the date of this order. Plaintiff should consider these general points before filing an Amended Complaint: 1 ECF No. 28. 2 Complaint ECF No. 1.

1. The Amended Complaint must stand entirely on its own and shall not refer to, or incorporate by reference, any portion of the original complaint. Any claims which are not realleged in the Amended Complaint will be deemed abandoned.?

2. The Amended Complaint must clearly state what each named Defendant did to violate Plaintiff's rights. Plaintiff should identify each constitutional violation and include, as must as possible, specific dates when the alleged constitutional violations occurred.

3. Each cause of action, together with the facts and citations that support the cause of action, should be stated separately. IT IS SO ORDERED. DATED this 16 February 2026. Dusii-B7 Pyad ° United Stafes Mapistrate Judge 3 See Pierce v. Williams, 2020 U.S. Dist. LEXIS 185074 at *6 (E.D. Okla. Oct. 6, 2020) (unpublished) (citing Miller v. Glanz, 948 F.2d 1562, 1565 (10th Cir. 1991) ("An amended complaint completely replaces the original complaint and renders

the original complaint of no legal effect”)); *Murray v. Archambo*, 132 F.3d 609, 612 (10th Cir. 1998) (amended complaint supersedes original complaint). 4 *Bennett v. Passic*, 545 F.2d 1260, 1262-63 (10th Cir. 1976) (personal participation of each named defendant required to state a civil rights claim).

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