

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

RICHARD STANLEY, JR.,)	
TIM CLARK,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 1:25-cv-01482-TWP-MKK
)	
BROWN COUNTY ELECTION BOARD,)	
)	
Defendant.)	

**ORDER GRANTING PLAINTIFFS' MOTION TO AMEND COMPLAINT
AND DENYING AS MOOT THE REMAINING MOTIONS**

This matter is before the Court on Motion for Leave to Amend Complaint ([Filing No. 22](#)) filed by Plaintiffs' Richard Stanley Jr. ("Stanley") and Tim Clark ("Clark") (collectively, "Plaintiffs"). Also pending is Defendant Brown County Election Board's ("the Board") Motion to Dismiss ([Filing No. 9](#)), Plaintiffs' Motion for Summary Judgment ([Filing No. 10](#)), and Plaintiffs' Motion For Leave to File a Supplemental Response to Defendant's Motion to Dismiss ([Filing No. 19](#)). For the reasons explained below, Plaintiff's request to file an amended complaint is **granted**, and the remaining motions are **denied as moot**.

I. DISCUSSION

On May 14, 2025 Plaintiffs filed a Complaint alleging that the Indiana Republican Party's decision, holding that Stanley and Clark are not Republicans in good standing, violates the U.S. Constitutional principles of due process, equal protection and freedom of speech. ([Filing No. 1](#)). On August 13, 2025, the Board move to dismiss Plaintiffs' Complaint, arguing amongst other things, that Plaintiffs' claims for "declaratory and injunctive relief" and its potential "to prevent the Plaintiff's from running for office in the future, if acted upon by the Brown County Election

Board should the Plaintiff's file to run for an elected office in the future, isn't ripe for such relief." ([Filing No. 9 at 1](#)). Plaintiffs responded to the Motion to Dismiss on August 25, 2025 ([Filing No. 12](#)), and on October 21, 2025 requested leave to file a supplemental response to Defendant's Motion to Dismiss. ([Filing No. 19](#)). In support of their motion to supplement their response, Plaintiffs asserted that a change in the underlying facts has occurred. *Id.* Specifically, the original Complaint alleges that Stanley had not yet decided to run for political office, but on October 20, 2025, Stanley announced that he plans to run for the elected office of County Commissioner in Brown County Indiana in the 2026 election cycle. *Id.*

The Court issued an Order Directing Further Action ([Filing No. 21](#)), ordering Plaintiffs to attach a proposed Amended or Supplemental pleading for the Court's consideration, as required by Local Rule 15-1. *Id.* at 1. Instead of filing an amended supplemental pleading, Plaintiffs filed their Motion to Amended Complaint, and attached their proposed Amended Complaint ([Filing No. 22](#), [Filing No. 22-1](#)). The Board opposes both of Plaintiffs' motions, and argues the Plaintiffs' undue delay in filing their untimely motions, causes the Board "to spend more time and energy on a case in which it argues it has not injured the Plaintiffs" ([Filing No. 23 at 2](#)).

Federal Rule of Civil Procedure 15(a)(1) allows a party to amend its pleading once as a matter of course within twenty-one days after serving it, or "if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b)." After a responsive pleading has been filed and twenty-one days have passed, "a party may amend its pleading only with the opposing party's written consent or the court's leave. The court should freely give leave when justice so requires." Fed. R. Civ. Pro. 15(a)(2). The Rule, does not mandate that leave be granted in every case, and "district courts have broad discretion to deny leave to amend where there is undue delay, bad faith, dilatory motive,

repeated failure to cure deficiencies, undue prejudice to defendants, or where amendment would be futile." *Mulvania v. Sheriff of Rock Island Cnty.*, 850 F.3d 849, 855 (7th Cir. 2017) (internal quotation marks and citation omitted).

Upon review of the record, the Court determines that there is no undue delay, bad faith, dilatory motive, undue prejudice, or futility of amendment. In the proposed Amended Complaint, Stanley alleges that on October 20, 2025, he announced his campaign to run for County Commissioner, thus changing the underlying facts of the case. Plaintiffs then promptly filed a Motion for Leave to Supplement Response on October 21, 2025, followed by the request for leave to amend the complaint. Under these circumstances, the Court determines that justice requires allowing leave to amend the Complaint because of the significant changes that have allegedly occurred since the filing of the original Complaint.

"When a plaintiff files an amended complaint, the new complaint supersedes all previous complaints and controls the case from that point forward." *Massey v. Helman*, 196 F.3d 727, 735 (7th Cir. 1999). Accordingly, Defendant Brown County Election Board's Motion to Dismiss, and Plaintiffs' Motion for Summary and Motion For Leave to File a Supplemental Response to Defendant's Motion to Dismiss, are **denied as moot**.

II. CONCLUSION

For the reasons explained above, Plaintiff's Motion to Amend Complaint ([Filing No. 22](#)) is **GRANTED**. Defendant Brown County Election Board's Motion to Dismiss ([Filing No. 9](#)), Plaintiffs' Motion for Summary Judgment ([Filing No. 10](#)), and Plaintiffs' Motion for Leave to File Supplemental Response ([Filing No. 19](#)) are all **DENIED AS MOOT**.

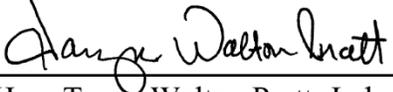
Plaintiffs' tendered Amended Complaint at [Filing No. 22-1](#) is **deemed filed** as of the date of this Order and is now the operative complaint in this matter. Defendant is granted **thirty (30)**

days to file a responsive pleading to the Amended Complaint or a motion to dismiss. The Pretrial Pleadings and Disclosures deadlines ((¶-III.) and Discovery and Dispositive Motions deadlines (¶-IV.) in the Case Management Plan ([Filing No. 18](#)) are extended by 30 days.

The parties should anticipate **no further leave** to amend the complaint.

SO ORDERED.

Date: 11/12/2025


Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

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