

**IN THE
SUPREME COURT OF THE UNITED STATES**

JEANETTA CARTER,

Plaintiff-Appellant

v.

Case number: 17-7074

**LABOR READY MID-ATLANTIC, INC.
c/o EQUIFAX WORKFORCE SOLUTIONS
also known as TALX CORPORATION
P.O. BOX 182366
COLUMBUS, OHIO 43218,**

Defendants-Appellees

MOTION FOR LEAVE TO FILE SUPPLEMENTAL PLEADING

Pursuant to the subsection, (d) of the Rule 15 of the Federal Rules of Civil Procedure, the Plaintiff, Jeanetta Carter moves this Court for leave to file the Supplemental Pleading for the following reasons:

1. Fed. R. Civ. P. 15 (d) provides that this Court “may, on just terms permit a party to serve a supplemental pleading adding a new fact after the original pleading was filed.”
2. The initial Motion for New Trial in this matter was filed on March 22, 2018.
3. A Corrected Informal Petition for Rehearing was filed on April 20, 2018.
4. Rule 15 (d) of the Federal Rules of Civil Procedure provides that, “The court may permit supplementation even though the original is defective in stating a claim or defense.” See Laber v. Harvey, 438 F.3d 404, 428-29 (4th Cir. 2006).

5. Leave to file a supplemental pleading pursuant to Rule 15 (d) “should be liberally granted unless good reason exists for denying leave such as prejudice to the defendants.” Walker v. United Parcel Serv., Inc., 240 F.3d 1268, 1278 (10th Cir. 2001) (citation omitted).

6. “The court should apply the same standard for exercising its discretion under Rule 15 (d) as it does for deciding a motion under Rule 15 (a).” Southwest Nurseries, LLC v. Florists Mut. Ins., Inc., 266 F. Supp. 2d 1253, 1256 (D. Colo. 2003) (citing First Savings Bank v. U.S. Bancorp, 184 F.R.D. 363, 368 (D. Kan. 1998) (noting that Rule 15 is intended to facilitate a full adjudication of the merits of the parties’ disputes)).

7. The Plaintiff is being very specific and clearly confirming the true nature of the allegations against the Defendants, Labor Ready Mid-Atlantic, Inc., c/o Equifax Workforce Solutions also known as Talx Corporation. The Defendants did provide a false statement to the Virginia Employment Commission to deter the Plaintiff from receiving unemployment benefits in a hearing on September 25, 2014, that caused the allegations, such as defamation, tortious interference with economic opportunity and contractual relations, intentional infliction of emotional distress, and negligence and made the Plaintiff be viewed as a wastrel.

8. No good reason exists to deny the leave requested by this motion. No prejudice to the Defendants will result from this Court’s acceptance of this supplemental pleading because this motion is timely filed. Moreover, there will be no substantive prejudice to the Defendants because the supplemental pleading

includes no new claims, only factual material supportive of previously stated claims.

9. Finally, leave is appropriate here because the purpose of Rule 15 (d) is to promote as complete an adjudication of the dispute between the parties as possible. See Rezaq v.Nalley, 07-CV-02483-LTB-KLM, 2010 WL 965522 (D. Colo. Mar. 15, 2010) (unpublished) (citing 6A Charles A. Wright, et al., Federal Practice and Procedure § 1504 (2d ed. 1990 & Supp. 2009)). Efficiency in this litigation will be promoted by this Court's acceptance of the supplemental pleading for filing.

WHEREFORE, the Plaintiff respectfully requests that the Court enter an Order: (a) granting its motion and (b) deeming the Motion for Leave to File Supplemental Pleading filed as of the date of such Order.

Respectfully submitted,



Jeanetta Carter, Plaintiff-Appellant

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PROOF OF SERVICE)

STATE OF VIRGINIA)

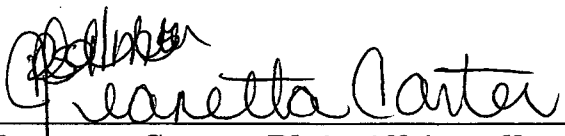
City of Newport News)

I, Jeanetta Carter, hereby certify that I am the plaintiff-appellant herein, that I served the within Motion for Leave to File Supplemental Pleading on April 20, 2018, by placing one copy thereof in a sealed envelope plainly addressed to the following:

**Daniel M. Schieble, Esq.
VSB# 23503
Anne C. Lahren, Esq.
VSB# 73125
Pender & Coward, P.C.
222 Central Park Ave., Suite 400
Virginia Beach, VA 23462**

and the original copy thereof to:

**Supreme Court of the United States
Office of the Clerk
1 First Street, NE
Washington, DC 20543**


Jeanetta Carter, Plaintiff-Appellant