

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

BOB PERRY,

No. CIV S-10-2200-JAM-CMK

Plaintiff,

vs.

ORDER

CHASE BANK, N.A.,

Defendant.

_____ /

Plaintiff, who is proceeding pro se, brings this civil action. Pending before the court are defendant's motions to dismiss (Doc. 12) and to strike (Doc. 19). Those motions were served on plaintiff on October 18, 2010, and October 20, 2010, respectively. On November 8, 2010, plaintiff filed a timely amended complaint as of right. See Fed. R. Civ. P. 15(a)(1)(B) (complaint may be amended once as of right within 21 days after service of a Rule 12(b) motion). Defendant's motions, which attack the original complaint, are now moot in light of the amended complaint.

///
///
///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Accordingly, IT IS HEREBY ORDERED that:

1. Defendant's motions (Docs. 15 and 18) are stricken and taken off calendar;
2. Defendant shall file a response to the amended complaint within 30 days of the date of this order.

DATED: November 15, 2010



CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE