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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JILLIAN L. PIERCE,
Plaintiff,
v.
COUNTY OF MARIN, et al.,
Defendants.

Case No. [17-cv-03409-SI](#)

**ORDER DENYING PENDING
MOTIONS TO DISMISS AS MOOT**

Re: Dkt. Nos. 29, 37


On June 13, 2017, plaintiff filed this lawsuit *in pro per* against the State of California, the County of Marin, Marin County Sheriff Robert T. Doyle, and the City of Ukiah. The complaint alleges that plaintiff has been arrested and detained on three occasions because her name and identity were “wrongfully and incorrectly associated” with an individual with the same name who had an outstanding drug-related warrant. Compl. ¶ 1 (Dkt. No. 1). On August 21, 2017, counsel filed a notice of appearance on behalf of plaintiff. Dkt. No. 19.

In an order filed September 11, 2017, the Court granted the State of California’s unopposed motion to dismiss the complaint, and granted plaintiff leave to amend. The current deadline for filing an amended complaint is October 27, 2017. On September 18, 2017, the Marin County defendants filed a motion to dismiss the original complaint, and on October 6, 2017, the City of Ukiah filed a motion to dismiss the original complaint.

The Court finds that the filing of an amended complaint will moot the pending motions to dismiss, and that it is in the interest of judicial efficiency to DENY the pending motions to dismiss without prejudice to refile as appropriate after the filing of the amended complaint.

IT IS SO ORDERED.

Dated: October 18, 2017



SUSAN ILLSTON
United States District Judge