

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

MARIE CEDRE,

Plaintiff,

v.

Case No. 6:17-cv-511-Orl-37KRS

RUSHMORE LOAN MANAGEMENT
SERVICES, LLC; JAMES E.
ALBERTELLI, P.A.; and CARLSAD
FUNDING MORTGAGE TRUST,

Defendants.

ORDER

This cause is before the Court on consideration of: (1) the Motion to Dismiss Case with Prejudice by Defendant James E. Albertelli, P.A. (Doc. 30), filed April 17, 2017; and (2) Plaintiff's First Amended Class Action Complaint (Doc. 31), filed May 1, 2017.

Plaintiff Marie Cedre initiated this action against Defendants James E. Albertelli, P.A. ("**ALAW**"), Rushmore Loan Management Services, LLC, and Carlsbad Funding Mortgage Trust, on **December 16, 2016**, in the U.S. District Court for the Southern District of Florida. (Doc. 1.) The action was transferred to this Court on **March 22, 2017**. (Doc. 21.) Defendant ALAW then filed a Motion to Dismiss on **April 17, 2017** ("**Motion**"). (Doc. 30.) Pursuant to Federal Rule of Civil Procedure 15(a)(1)(b), Plaintiff timely responded to the Motion by filing an Amended Complaint. (Doc. 31.) Because the properly-filed Amended Complaint has rendered the Motion moot, the Court finds that the Motion is due to be denied.

II. CONCLUSION

Accordingly, it is **ORDERED AND ADJUDGED** that the Motion to Dismiss Case with Prejudice by Defendant James E. Albertelli, P.A. (Doc. 30) is **DENIED AS MOOT**.

DONE AND ORDERED in Orlando, Florida, this 3d day of May, 2017.




ROY B. DALTON JR.
United States District Judge

Copies to:

Counsel of Record