

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JESSE R. ENJAIAN,

Plaintiff,

v.

Case No. 14-cv-13297

MARK S. SCLISSEL, *et al.*,

Defendants.

AMENDED¹ ORDER DENYING PLAINTIFF'S MOTION TO STRIKE ANSWER

Pending before the court is a Motion to Strike, in part, the Defendants' Answer, filed by Plaintiff on October 14, 2014. (Dkt. # 12.) However, that same day Plaintiff amended his complaint as of right. See Fed. R. Civ. P. 15 (a)(1)(B). This rendered the original Complaint—and by extension, the Answer—nullities.² *Drake v. City of Detroit*, 266 F. App'x 444, 448 (6th Cir. 2008). Accordingly,

IT IS ORDERED that Plaintiff's Motion to Strike, in part, the Defendants' Answer (Dkt. # 12) is DENIED AS MOOT.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: November 2, 2014

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 2, 2014, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

¹The original order incorrectly indicated the motion was filed by Defendants.

²The court notes, however, that there was nothing improper about Defendants' Answer and that another motion to strike directed at a similar Answer to the Amended Complaint would likely be futile.

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