IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

EMMA SERNA and
MIKE SERNA,

      Plaintiffs,

v.   No. 1:20-cv-00299-MV-SCY

DANIEL WHITE,
DAVID WEBSTER, and
MARGETTE WEBSTER,

      Defendants.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on Plaintiffs' Motion to Strike Defendants' Two Briefings to Amend Plaintiffs' Complaint, Doc. 20, filed July 1, 2020.

After reviewing *pro se* Plaintiffs' original Complaint, United States Magistrate Judge Steven C. Yarbrough notified Plaintiffs that they failed to state federal law claims and granted them leave to file an amended complaint. *See* Order, Doc. 3, filed April 15, 2020.

Plaintiffs then filed their Motion for Leave of Court to Amend Complaint. *See* Doc. 5, filed April 28, 2020. Defendants filed two responses opposing Plaintiffs' Motion to Amend. *See* Doc. 8, filed May 14, 2020 (on behalf of Defendant White); Doc. 11, filed June 1, 2020 (on behalf of Defendants David Webster and Margette Webster).

Although titled "Motion for Leave of Court to Amend Complaint," the Court construed the document to be Plaintiffs' Amended Complaint because: (i) Judge Yarbrough had already granted Plaintiffs leave to file an amended complaint; (ii) the document alleges facts, asserts causes of action, and seeks relief; and (iii) the document states: "I submit this Amended Complaint to cure the deficiencies …" Doc. 5 at 8.

The Court dismissed Plaintiffs' federal law claims for failure to state a claim, declined to exercise supplemental jurisdiction over Plaintiffs' state-law claims, and dismissed this case. *See* Doc. 18, filed June 30, 2020.

Plaintiffs now ask the Court to strike Defendants' Responses to Plaintiffs' Motion to Amend the Complaint. The Court, having dismissed this case, finds that Plaintiffs' Motion to Strike the Responses are moot.

IT IS ORDERED that Plaintiffs' Motion to Strike Defendants Two Briefings to Amend Plaintiffs' Complaint, Doc. 20, filed July 1, 2020, is **FOUND AS MOOT.**

_____
MARTHA VAZQUEZ
UNITED STATES DISTRICT JUDGE