

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:18 cv 6**

CARLOS RODEIA,)
)
 Plaintiff,)
)
 v.)
)
 BILTMORE FOREST COUNTRY)
 CLUB, INC.,)
)
 Defendant.)
 _____)

ORDER

Pending before the Court is Plaintiff’s Motion to Amend the Complaint. Plaintiff wishes to amend his Complaint in order to conform to federal pleading standards. Defendant has consented to the motion.

For good cause shown, the Court **GRANTS** the motion [# 14]. Plaintiff now has leave to file an amended complaint.

Because Plaintiff will file an amended complaint, the Court finds that Defendant’s Motions to Dismiss are moot as they will not respond to the amended complaint. Therefore, the Court **DISMISSES** Defendant’s Motions to Dismiss [# 2, # 4] without prejudice.

Finally, the Court **STRIKES** the Plaintiff’s “Proposed Amended Complaint” [# 16] from the docket because it was not filed with first getting leave of the Court or the opposing party’s written consent. Fed. R. Civ. P. 15(a)(2).

Signed: March 26, 2018



Dennis L. Howell
United States Magistrate Judge

