

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:16-cv-00085-FDW-DCK**

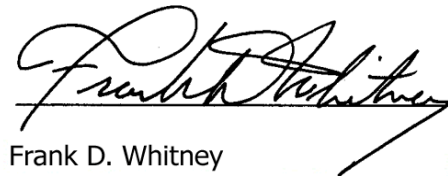
RONALD PIERCE,)
)
 Plaintiff,)
)
 vs.)
)
 AMERICAN STRATEGIC INSURANCE)
 CORP.,)
)
 Defendant.)
)

ORDER

THIS MATTER is before the Court *sua* sponte following the entry of its Order to Show Cause. (Doc. No. 7). Due to an administrative oversight, the Plaintiff’s filing of his Amended Complaint was not noted prior to entry of the Order to Show Cause. This Order (Doc. No. 7) is therefore **VACATED**. Additionally, Plaintiff’s Amended Complaint (Doc. No. 6) moots Defendant’s pending Motion to Dismiss (Doc. No. 2). Defendant’s Motion to Dismiss is, therefore, **DENIED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

Signed: March 21, 2016



Frank D. Whitney
Chief United States District Judge



