

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

CHRISTOPHER KNECHT,

Plaintiff,

Civil Action No.1:12-cv-763

vs.

Spiegel, J.  
Bowman, M.J.

CITY OF CINCINNATI, OHIO, et al.,

Defendants.

**ORDER**

This matter is now before the Court on Defendants' motion to strike Plaintiff's supplemental response (Doc. 15) to Defendants' motion to dismiss. (Doc. 18). Also before the Court is Plaintiff's motion for hearing on pending motion to address perfection of service. (Doc. 20). Upon careful review, the undersigned finds that both motions are MOOT. Notably, Plaintiff's supplemental memorandum was filed in response to Defendants' initial motion to dismiss. (See Doc. 9). However, in response to Plaintiff's amended complaint, Defendants filed a second motion to dismiss subsequent to the filing of the Plaintiff's memorandum in question. (Doc. 17). As such, and as outlined in the undersigned's recent report and recommendation that Defendants' motion to dismiss be granted, the undersigned did not consider Plaintiff's supplemental memorandum in its consideration of Defendant's subsequent motion to dismiss.

Additionally, in the recent Report and Recommendation that Defendant's motion to dismiss be granted, the undersigned declined to address Defendant's arguments

and/or to dismiss Plaintiff's complaint based upon lack of service. As such, Plaintiff's motion for hearing on perfection of service is also moot.

Accordingly, for the reasons outlined above, Defendants' motion to strike (Doc. 18) and Plaintiff's motion for hearing on perfection of service (Doc. 20) are herein **DENIED as MOOT.**

**IT IS SO ORDERED.**

s/Stephanie K. Bowman  
Stephanie K. Bowman  
United States Magistrate Judge