

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

Platz v. Dempsey

Platz · No. 24-13041 · Decided January 21, 2026

SUMMARY

The court addressed Plaintiff William L. Platz, Jr.'s motion for leave to amend his pro se civil rights complaint. Because Defendant had not served a responsive pleading or Rule 12(b) motion and the amendment was within the applicable period, the court terminated the motion as moot and accepted the amended complaint.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	Curtis Ivy, Jr.
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	January 21, 2026
DOCKET	24-13041
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to amend his pro se civil-rights complaint under Federal Rule of Civil Procedure 15(a). The court determined that leave was unnecessary because Plaintiff could amend once as a matter of course, accepted the amended complaint, and terminated the motion as moot.
PRECEDENTIAL VALUE	Nonprecedential district court order

TOPICS

- motion to amend
- pleadings
- civil procedure
- civil rights

PRACTICE AREAS

- civil procedure
- civil rights

QUESTIONS PRESENTED

1. Whether Plaintiff required leave of court to amend his complaint under Federal Rule of Civil Procedure 15(a).
2. Whether Plaintiff's motion for leave to amend should be terminated as moot and the proposed amended complaint accepted.

HOLDINGS

1. Plaintiff did not need leave to amend because he was entitled to amend his complaint once as a matter of course under Federal Rule of Civil Procedure 15(a)(1), before service of an answer or Rule 12(b) motion.
2. The motion for leave to amend was terminated as moot, and Plaintiff's amended complaint was accepted.

KEY QUOTATIONS

“Plaintiff therefore does not need leave to amend his complaint. Plaintiff may amend his complaint once as a matter of course.”

“Accordingly, his Motion to Amend Plaintiff’s Complaint (ECF No. 14) is TERMINATED AS MOOT, and Plaintiff’s Amended Complaint (ECF No. 15) is ACCEPTED.”

FACTUAL BACKGROUND

William L. Platz, Jr. filed a pro se civil-rights complaint against Dempsey. Before Defendant was served, Platz moved to amend the complaint to add more facts. Defendant had not filed an answer or a motion to dismiss as of the date of the order.

PROCEDURAL HISTORY

Plaintiff filed the original complaint on November 18, 2024. He moved to amend on November 10, 2025, before Defendant was served and before Defendant filed an answer or Rule 12(b) motion. The matter was referred to the magistrate judge for pretrial proceedings, who accepted the amended complaint and terminated the motion to amend as moot.

DISPOSITION

other

CASES CITED

- *Pertuso v. Ford Motor Credit Co.*, 233 F.3d 417, 421 (6th Cir. 2000)

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