

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PRECEDENTIAL VALUE	Nonprecedential district court order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)

OPINION

Platz

PER CURIAM.

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM L. PLATZ, JR., Case No. 24-13041 Plaintiff, Judith E. Levy v. United States District Judge DEMPSEY, Curtis Ivy, Jr. United States Magistrate Judge Defendant.

ORDER ON MOTION TO AMEND COMPLAINT (ECF No. 14)

Plaintiff William L. Platz, Jr., filed this pro se civil rights complaint on November 18, 2024. (ECF No. 1). Plaintiff moved for leave to file his amended complaint under Fed. R. Civ. P. 15(a) on November 10, 2025, to include more facts. (ECF No. 14). This case was referred to the undersigned for all pretrial matters. (ECF No. 13). Rule 15(a) provides that leave to amend “shall be freely given when justice so requires.” Fed. R. Civ. P. 15(a). A party may amend their complaint as a matter of course no later than 21 days after serving it, or 21 days after service of a responsive pleading or motion under Rule 12(b). Fed. R. Civ. P. 15(a)(1); see *Pertuso v. Ford Motor Credit Co.*, 233 F.3d 417, 421 (6th Cir. 2000) (Rule 15(a) “gives plaintiffs an absolute right to amend a complaint before a ‘responsive pleading’ is served.”). Defendant Dempsey was not served until December 2, 2025, which is after Plaintiff filed his motion for leave. (ECF Nos. 16, 17). As of the date of this Order, Defendant has not filed an answer or a motion to dismiss. 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. IT IS SO ORDERED. The parties here may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal Rule of Civil Procedure 72(a) and Local Rule 72.1(d). A party may not assign as error any defect in this Order to which timely objection was not made. Fed. R. Civ. P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. When an objection is filed to a magistrate judge’s ruling on a non-dispositive motion, the ruling remains in effect unless it is stayed by the magistrate judge or a district judge. E.D. Mich. Local Rule 72.2. Date: January 21, 2026 s/Curtis Ivy, Jr. Curtis Ivy, Jr. United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 21, 2026, by electronic means and/or ordinary mail. s/Sara Krause Case Manager

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