

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA,
GREAT FALLS DIVISION

April Ellis v. Frank Torres, et al.

Ellis v. Torres, CV 26-9-GF-DWM (D. Mont. Apr. 13, 2026) · No. CV 26-9-GF-DWM · Decided April 13, 2026

SUMMARY

The United States District Court for the District of Montana denied the defendants’ motion to dismiss as moot because the plaintiff filed an amended complaint, which superseded the original complaint. The court partially granted and partially denied the plaintiff’s accommodation requests, permitting efforts to schedule in-person hearings in Great Falls but requiring conventional filing or use of CM/ECF rather than email filing.

CASE DETAILS

COURT	United States District Court for the District of Montana, Great Falls Division
JURISDICTION	United States District Court for the District of Montana, Great Falls Division
DECIDED	April 13, 2026
DOCKET	CV 26-9-GF-DWM
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a civil-rights action arising from a traffic stop. Defendants moved to dismiss under Federal Rule of Civil Procedure 12(b)(6), and plaintiff subsequently filed an amended complaint.
PRECEDENTIAL VALUE	Unpublished district-court order with limited precedential value
PARTIES	April Ellis v. Frank Torres, et al.

TOPICS

- motions to dismiss
- pleadings
- civil procedure
- civil rights

PRACTICE AREAS

- civil procedure
- civil rights

QUESTIONS PRESENTED

1. Whether defendants' motion to dismiss the original complaint remained operative after plaintiff filed an amended complaint.
2. Whether Ellis's requests for accommodations concerning hearings and filing methods should be granted.

HOLDINGS

1. Because an amended pleading supersedes the original pleading, defendants' motion to dismiss the original complaint was rendered moot and was denied on that basis.
2. Defendants named in the amended complaint must answer or otherwise respond by the deadline provided in Federal Rule of Civil Procedure 12(a).
3. Ellis's accommodation requests were granted in part and denied in part: the court would attempt to schedule hearings in person at the Missouri River Federal Courthouse in Great Falls when possible, but Ellis could not file documents by email and could file conventionally or through CM/ECF.

KEY QUOTATIONS

“Because “an amended pleading supersedes the original pleading,” *Koala v. Khosla*, 931 F.3d 887, 895 (9th Cir. 2019),”

FACTUAL BACKGROUND

Ellis alleged that her civil rights were violated during a traffic stop involving Great Falls Police Officer Frank Torres. After defendants moved to dismiss the complaint for failure to state a claim, Ellis filed an amended complaint. Ellis also requested accommodations concerning hearings and filing methods.

PROCEDURAL HISTORY

Ellis filed the action on January 30, 2026. Defendants moved to dismiss the original complaint on March 16, 2026. Ellis then filed an amended complaint, causing the court to deny the motion to dismiss as moot. The court also partially granted and partially denied Ellis's requests for filing and hearing accommodations.

DISPOSITION

other

CASES CITED

- *Koala v. Khosla*, 931 F.3d 887, 895 (9th Cir. 2019)

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