

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of Montana denied the defendants’ motion to dismiss as moot because the plaintiff filed an amended complaint, which superseded the original complaint.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PRECEDENTIAL VALUE	Unpublished district-court order with limited precedential value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)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA GREAT FALLS DIVISION APRIL ELLIS, CV 26-9-GF—DWM Plaintiff, VS. ORDER FRANK TORRES, et al., Defendants. On January 30, 2026, Plaintiff April Ellis sued several individuals and entities, alleging her civil rights were violated during a traffic stop by Great Falls Police Officer Frank Torres. (Doc.

1.) On March 16, 2026, the defendants filed a motion to dismiss her complaint for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6). (Doc. 8.) In response, Ellis filed an Amended Complaint. (Doc. 22.)

Because “an amended pleading supersedes the original pleading,” *Koala v. Khosla*, 931 F.3d 887, 895 (9th Cir. 2019), IT IS ORDERED that the defendants’ motion to dismiss (Doc. 8) is DENIED as MOOT. The defendants named in the Amended Complaint must answer or otherwise respond to that pleading by the deadline provided for in Rule 12(a). IT IS FURTHER ORDERED that Ellis’ requests for accommodation (Docs.

24, 25) are GRANTED in PART and DENIED in PART. The Court will attempt to set all hearings in person at the Missouri River Federal Courthouse in Great Falls if possible. However, Ellis is not permitted to file via email. Consistent with the rules governing pro se filings in this Court, Ellis may either conventionally file her documents or sign up for the Court’s e-filing system, CM/ECF.

The docket in the case shows that Ellis has registered to e-file, (see Doc. 18), and has successfully e-filed several documents since doing so. DATED this [Gin of April, 2026. / Court