

**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of Montana denied the defendants’ motion to dismiss as moot because the plaintiff filed an amended complaint, which superseded the original complaint.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.

OPINION

Ellis

PER CURIAM.

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

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