

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

STACY BAILEY,

Plaintiff,

v.

**MANSFIELD INDEPENDENT SCHOOL
DISTRICT; DR. JIM VASZAUSKAS; and
DR. KIMBERLY CANTU,**

Defendants.

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Civil Action No. **3:18-CV-1161-L**

ORDER

Before the court are Defendants’ Rule 12(b)(6) Motion to Dismiss for Failure to State a Claim and, in the Alternative, Motion for More Definite Statement (Doc. 9), filed August 10, 2018; and Plaintiff’s Unopposed Motion to Extend Time to File Amended Complaint and/or Plaintiff’s Response and Brief to Defendants’ Rule 12(b)(6) Motion to Dismiss for Failure to State a Claim and, in the Alternative, Motion for More Definite Statement (Doc. 10), filed August 28, 2018.

Plaintiff seeks an extension to September 18, 2018, to amend her pleadings, respond to Defendants’ motion to dismiss, or both. Plaintiff’s motion indicates that it is unopposed by Defendants. Plaintiff further asserts that she has not previously amended her pleadings and is entitled, once as a matter of course, to do so within 21 days of the filing of a responsive pleading. The extension requested by Plaintiff is more than the 21 days permitted by Federal Rule of Civil Procedure 15(a)(1) for amendment of pleadings as a matter of course; however, as Plaintiff’s motion is unopposed, the court **grants** Plaintiff’s Unopposed Motion to Extend Time to File Amended Complaint and directs Plaintiff to file her amended complaint by **September 18, 2018**. To avoid

piecemeal litigation and confusion, the court **denies as moot** Defendants' Rule 12(b)(6) Motion to Dismiss for Failure to State a Claim and, in the Alternative, Motion for More Definite Statement (Doc. 9) and **denies as moot** Plaintiff's alternative request to Extend Time to File Response and Brief to Defendants' Rule 12(b)(6) Motion to Dismiss for Failure to State a Claim and, in the Alternative, Motion for More Definite Statement (Doc. 10). After Plaintiff amends her pleadings, Defendants may file a motion to dismiss the amended complaint.

It is so ordered this 29th day of August, 2018.


Sam A. Lindsay
United States District Judge