

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

ALFREDO JOSEPH MORETTA, an  
individual

Plaintiff,

v.

Case No: 2:18-cv-690-FtM-38UAM

BILL PRUMMEL and MATTHEW  
PILOTO,

Defendants.

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**ORDER**<sup>1</sup>

Before the Court is Defendant Sheriff Prummel's Motion to Dismiss Counts II, III and IV of Plaintiff's Complaint ([Doc. 15](#)) and Defendant Matthew Piloto's Motion to Dismiss Plaintiff's Complaint ([Doc. 17](#)). In response, Plaintiff Alfredo Joseph Moretta requests leave to amend his complaint to address the issues raised in the Motions. ([Doc. 20](#)). Defendants do not object to Moretta's proposed amendment. ([Doc. 21](#); [Doc. 22](#)).

Accordingly, it is now

**ORDERED:**

(1) The Clerk of the Court is **DIRECTED** to enter Plaintiff Alfredo Joseph Moretta's Amended Complaint ([Doc. 20-1](#)) as a separate docket entry.

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<sup>1</sup> Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or websites. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other websites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their websites. Likewise, the Court has no agreements with any of these third parties or their websites. The Court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the Court.

(2) Defendants shall respond to the Amended Complaint on or before **February 26, 2019**.

(3) Defendant Sheriff Prummel's Motion to Dismiss Counts II, III and IV of Plaintiff's Complaint ([Doc. 15](#)) and Defendant Matthew Piloto's Motion to Dismiss Plaintiff's Complaint ([Doc. 17](#)) are **DENIED as moot**.

**DONE** and **ORDERED** in Fort Myers, Florida this 12th day of February, 2019.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record