

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-02789-PAB-KMT

JUANETTA LAWRENCE,

Plaintiff,

v.

SCHOOL DISTRICT NO. 1, IN THE CITY AND COUNTY OF DENVER, a/k/a Denver
Public Schools, and
BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 1, IN THE CITY AND COUNTY
OF DENVER, a/k/a Denver Board of Education,

Defendants.

MINUTE ORDER

Entered by Judge Philip A. Brimmer

This matter is before the Court on defendants' Motions to Dismiss [Docket Nos. 28 and 47]. On June 14, 2012, plaintiff filed a Second Amended Complaint [Docket No. 58] pursuant to the Order [Docket No. 57] granting plaintiff's Motion to File Second Amended Complaint [Docket No. 44]. Thus, the Second Amended Complaint became the operative pleading in this action, and the Motions to Dismiss [Docket Nos. 28 and 47] are directed to an inoperative, superseded pleading. *See, e.g., Gilles v. United States*, 906 F.2d 1386, 1389 (10th Cir. 1990) ("a pleading that has been amended under Rule 15(a) supersedes the pleading it modifies") (internal quotation marks omitted). As such, the motions to dismiss are moot. It is

ORDERED that defendants' Motions to Dismiss [Docket Nos. 28 and 47] are DENIED as moot.

DATED June 20, 2012.