

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-00850-RM-MJW

JOSHUA LAMONT SUTTON,

Plaintiff,

v.

KRISTI MOORE,
RICHARD POUNDS,
DALE O'CONNOR,
ORLANDO REYES,
LASANDRA BUCKNER,
ERIC GLIBERT,
MR. AURITI, and
BOBBY BONNER,

Defendants.

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Defendant Pounds' Motion to Dismiss Plaintiff's Third Amended Complaint (Docket No. 26) and CDOC Defendants' Motion to Dismiss (Docket No. 32) are denied as moot pursuant to the filing of plaintiff's Fourth Amended Prisoner Complaint (Docket No. 37). See, e.g., *Strich v. United States*, No. 09-cv-01913-REB-KLM, 2010 WL 14826, at *1 (D. Colo. Jan. 11, 2010) (citations omitted) ("The filing of an amended complaint moots a motion to dismiss directed at the complaint that is supplanted and superseded."); *AJB Props., Ltd. v. Zarda Bar-B-Q of Lenexa, LLC*, No. 09-2021-JWL, 2009 WL 1140185, at *1 (D. Kan. April 28, 2009) (finding that amended complaint superseded original complaint and "accordingly, defendant's motion to dismiss the original complaint is denied as moot"); *Gottfredson v. Larsen LP*, 432 F.Supp.2d 1163, 1172 (D. Colo. 2006) (noting that defendants' motions to dismiss are "technically moot because they are directed at a pleading that is no longer operative").

Date: February 2, 2016
