

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-00939-MEH

JECKONIAS N. MURAGARA,

Plaintiff,

v.

MONEYGRAM PAYMENT SYSTEM INTERNATIONAL,

Defendant.

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**MINUTE ORDER**

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**Entered by Michael E. Hegarty, United States Magistrate Judge, on November 13, 2015.**

Before the Court is Plaintiff's Amended Complaint [docket #40], properly filed as a matter of course pursuant to Fed. R. Civ. P. 15(a). In light of this filing, Defendant's recently filed Motion to Dismiss [filed October 27, 2015; docket #27] is **denied as moot** with leave to re-file, if Defendant so chooses, in response to the Amended Complaint. See *Franklin v. Kansas Dep't of Corr.*, 160 F. App'x 730, 734 (10th Cir. 2005) ("An amended complaint supersedes the original complaint and renders the original complaint of no legal effect.") (citing *Miller v. Glanz*, 948 F. 2d 1562, 1565 (10th Cir. 1991)); see also *Robinson v. Dean Foods Co.*, No. 08-cv-01186-REB-CBS, 2009 WL 723329, at \*4 (D. Colo. Mar. 18, 2009) (citation omitted) ("Generally, when an amended complaint is filed, the previous complaint is wiped out and the operative complaint is the most recently filed version.").