

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

MICHAEL SPEICHERT,

Plaintiff,

v.

Case No: 2:16-cv-758-FtM-99CM

REGIONS BANK, INC.,

Defendant.

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

This matter comes before the Court on Defendant Regions Bank's Motion to Stay or, alternatively, to Dismiss the Complaint ([Doc. #12](#)) filed on December 9, 2016. With the Court's leave, Plaintiff filed an Amended Complaint on January 6, 2017. ([Doc. #20](#)).

Federal Rule of Civil Procedure 15 allows a party to amend its pleading once as a matter of course within 21 days after service of a motion under Rule 12(b). [Fed. R. Civ. P. 15\(a\)\(1\)](#). And, it is well settled that an amended pleading supersedes the original, and motions directed at superseded pleadings must be denied as moot. See [Malowney v. Fed. Collection Deposit Grp.](#), 193 F.3d 1342, 1345 n.1 (11th Cir. 1999) (noting that "[a]n amended complaint supersedes an original complaint" (citation omitted)).

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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.

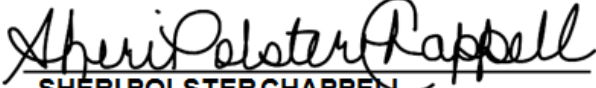
Here, Plaintiff timely filed the Amended Complaint in response to Defendant's motion. Consequently, his amended pleading is properly before the Court and renders Defendant's motion moot.

Accordingly, it is now

**ORDERED:**

Defendant Regions Bank's Motion to Stay or, Alternatively, Dismiss the Complaint (Doc. #12) is **DENIED without prejudice**.

**DONE** and **ORDERED** in Fort Myers, Florida this 11th day of January, 2016.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

Copies: All Parties of Record