

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

NELSON MISSON,

Plaintiff,

v.

Case No: 2:17-cv-574-FtM-38MRM

RED BULL DISTRIBUTION
COMPANY, INC.,

Defendant.

ORDER¹

This matter comes before the Court on Red Bull Distribution Company, Inc.'s Motion to Dismiss ([Doc. 8](#)) filed on October 25, 2017. On November 2, 2017, Plaintiff Nelson Misson filed a First Amended Complaint ([Doc. 13](#)), which superseded the original complaint. Because an amended pleading supersedes an original, motions directed at the superseded pleading are moot. See *Malowney v. Fed. Collection Deposit Grp.*, 193 F.3d 1342, 1345 n.1 (11th Cir. 1999) (noting, "[a]n amended complaint supersedes an original complaint" (citation omitted)).

Accordingly, it is now

ORDERED:

¹ 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.

(1) Red Bull Distribution Company, Inc.'s Motion to Dismiss ([Doc. 8](#)) is **DENIED**
AS MOOT.

DONE and **ORDERED** in Fort Myers, Florida this 3rd day of November, 2017.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record