

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

AKEEM WASHINGTON,

Plaintiff,

v.

SHANNON R. RIVERA, and
TINA E. ELLIS,

Defendants.

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CV 616-167

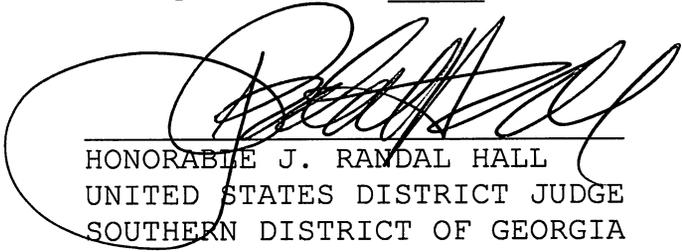
O R D E R

Plaintiff moved to remand this case to state court on January 5, 2017. (Doc. 10.) Since then, however, he has withdrawn that motion. (Doc. 16.) Accordingly, the Clerk shall **TERMINATE** Plaintiff's motion (doc. 10).

Also, on December 19, 2016, Defendant Shannon Rivera filed a motion for judgment on the pleadings and a motion to stay discovery pending resolution of the motion for judgment on the pleadings. (Docs. 6, 7.) But on January 9, 2017, Plaintiff filed an amended complaint. (Doc. 11.) Because the amended complaint supersedes the complaint that the motion for judgment on the pleadings seeks to dismiss, that motion is moot. See Lowery v. Ala. Power Co., 483 F.3d 1184, 1219 (11th Cir. 2007) ("[A]n amended complaint supersedes the initial complaint and

becomes the operative pleading in the case."); Brown v. Credit Mgmt., LP, No. 1:14-CV-2274-TWT, 2015 WL 224758, at *2 (N.D. Ga. Jan. 15, 2015) (denying a motion for judgment on the pleadings as moot because it sought "to dismiss a pleading that [was] superseded by the second amended complaint"). Accordingly, Defendant Rivera's motion for judgment on the pleadings (doc. 6) and her motion to stay (doc. 7) are **DENIED AS MOOT**.

ORDER ENTERED at Augusta, Georgia this 23rd day of January, 2017.



HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA