

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

STACY LEBEOUF

CIVIL ACTION

VERSUS

NO: 12-2583

BAIN MANNING

SECTION: "R"(2)

ORDER AND REASONS

On June 26, 2013, this Court granted defendant's motion to dismiss plaintiff's complaint.¹ The Court provided plaintiff 21 days to amend her complaint.² On July 17, 2013, plaintiff requested leave to file her second amended complaint.³ Also on July 17, 2013, plaintiff filed a motion to reconsider this Court's June 26, 2013, Order granting defendant's motion to dismiss.⁴ The Court then granted plaintiff's motion to file her second amended complaint.⁵

Because plaintiff has filed a second amended complaint,⁶ this Court's previous order dismissing her first amended complaint is no longer relevant. *See, e.g., In re Atlas Van*

¹ R. Doc. 25.

² *Id.* at 11-12.

³ R. Doc. 27.

⁴ R. Doc. 26.

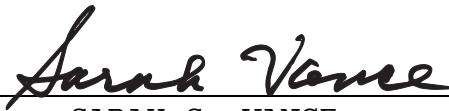
⁵ R. Doc. 28.

⁶ R. Doc. 29.

Lines, 209 F.3d 1064, 1067 (8th Cir. 2008) ("It is well-established that an amended complaint supercedes an original complaint and renders the original complaint without legal effect."); *Vadas v. United States*, 527 F.3d 16, 22 n.4 (2d Cir. 2007).

Accordingly, because plaintiff amended her complaint, there is nothing for this Court to reconsider. Plaintiff's motion to reconsider is therefore denied as moot,⁷ and the Court will address all of the parties' arguments in the context of defendant's second motion to dismiss.⁸

New Orleans, Louisiana, this 19th day of August, 2013.



SARAH S. VANCE
UNITED STATES DISTRICT JUDGE

⁷ R. Doc. 26.

⁸ R. Doc. 31.