

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

NADINE LEE YOUNG

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Plaintiff

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vs.

* CIVIL ACTION NO. MJG-17-713

HOUSING AUTHORITY OF
BALTIMORE CITY, ET AL.

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Defendants

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MEMORANDUM AND ORDER RE: AMENDED COMPLAINT

The Court has before it Defendant’s Motion to Dismiss Complaint, Or In The Alternative for Summary Judgment [ECF No. 5], Plaintiff’s Motion for Leave to File a Surreply [ECF No. 16], and the materials submitted relating thereto. The Court finds that a hearing is unnecessary.

On March 15,¹ Plaintiff Nadine Young filed the Complaint [ECF No. 1] against Defendant Housing Authority of Baltimore City (“Housing Authority”), alleging that she was a victim of sexual abuse and harassment by a named supervisor, one Wade Johnson.

On May 1, Housing Authority filed the pending Motion to Dismiss, Or In The Alternative for Summary Judgment. On May 18, Plaintiff filed the Amended Complaint [ECF No. 11] asserting the

1 All date references herein are to the year 2017 unless otherwise indicated.

same claims against the supervisor personally, as well as adding a new count against the supervisor. On the same day, she filed her response to the Housing Authority's Motion [ECF No. 12]. On July 2, Housing Authority filed its reply [ECF No. 15] to Plaintiff's response. On June 8, Plaintiff filed the pending motion seeking leave to file a surreply regarding the pending dismissal motion. In essence, Plaintiff seeks to file a surreply to, in effect, complete the briefing with regard to the validity of the Amended Complaint. The Court concludes, however, that it will be preferable for all concerned to effectively restart the case with the Amended Complaint. See Young v. City of Mount Ranier, 238 F.3d 567, 572 (4th Cir. 2001) ("As a general rule, an amended pleading ordinarily supersedes the original and renders it of no legal effect.").

Accordingly:

1. Defendant's Motion to Dismiss Complaint, Or In The Alternative for Summary Judgment [ECF No. 5] is DENIED AS MOOT.
2. Plaintiff's Motion for Leave to File a Surreply [ECF No. 16] is DENIED.
3. Defendants shall respond to the Amended Complaint by July 7.

SO ORDERED, this Thursday, June 22, 2017.

/s/ _____
Marvin J. Garbis
United States District Judge