

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

GREEN TREE SERVICING LLC,

Case No. 2:15-CV-725 JCM (PAL)

Plaintiff(s),

ORDER

V.

VALENCIA MANAGEMENT LLC
SERIES 4, et al.,

Defendant(s).

Presently before the court is defendant Silverado Court Landscape Maintenance Corporation's motion to dismiss the complaint. (Doc. # 10). Plaintiff Green Tree Servicing, LLC filed a response, (doc. # 14) and defendant Court filed a reply. (Doc. # 19).

This motion requests the dismissal of plaintiff's original complaint. (Doc. # 1). However, plaintiff filed first and second amended complaints. (Doc. ## 7, 44).

An amended complaint supersedes the original pleading, making it "non-existent." Valadez-Lopez v. Chertoff, 656 F.3d 851,857 (9th Cir. 2011). If a litigant files an amended pleading, then motions to dismiss the original complaint are mooted without prejudice. Johnson v. Cheryl, 2013 WL 3943606, at *2 (D. Nev. 2013).

Accordingly,

IT IS HEREBY ORDERED, and ADJUDGED, AND DECREED that defendant Silverado Court Landscape Maintenance Corporation's motion to dismiss the original complaint (doc. # 10) be, and the same hereby is, DENIED as moot without prejudice.

DATED March 14, 2016.

James C. Mahan
UNITED STATES DISTRICT JUDGE