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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

EDWARD TREMPER,)	3:16-cv-00707-HDM-VPC
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
CYNTHIA ANN VINING and JOHN)	
VINING,)	
)	
Defendants.)	
)	
)	

On January 5, 2017, the defendants filed a motion to dismiss the plaintiff's complaint in this action (ECF No. 6). On January 18, 2017, plaintiff filed an amended complaint (ECF No. 14). An amended complaint supersedes the original complaint in its entirety, and "the latter [is] thereafter treated as non-existent." See *Valadez-Lopez v. Chertoff*, 656 F.3d 851, 857 (9th Cir. 2011) (quoting *Forsyth v. Humana, Inc.*, 114 F.3d 1467, 1474 (9th Cir. 1997), overruled on other grounds by *Lacey v. Maricopa County*, 693 F.3d 896 (9th Cir. 2012)). Accordingly, the defendants' motion to dismiss (ECF No. 6) is hereby **DENIED AS MOOT**. The denial is without prejudice to filing a responsive pleading to the

1 plaintiff's first amended complaint.

2 IT IS FURTHER ORDERED that defendants shall file any such
3 pleading no later than February 3, 2017.

4 IT IS SO ORDERED.

5 DATED: This 24th day of January, 2017.

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UNITED STATES DISTRICT JUDGE

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