

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:12cv86**

**LW CONSTRUCTION OF  
CHARLESTON, LLC,**

**Plaintiff,**

**v.**

**SOUTHERN MECHANICAL OF  
THE CAROLINAS, INC., CHAD  
COOKE, THE HANOVER  
INSURANCE COMPANY,**

**Defendant.**

**ORDER**

Defendant The Hanover Insurance Company (“Defendant”) file a Motion to Dismiss the Complaint [# 9]. Subsequently, Plaintiff filed an Amended Complaint. The filing of an amended complaint supercedes the original complaint and renders it void of any legal function in the case. Young v. City of Mount Ranier, 238 F.3d 567, 572 (4th Cir. 2001). Accordingly, the Court **DENIES as moot** Defendant’s Motion to Dismiss [# 9].

Signed: July 13, 2012

*Dennis L. Howell*

Dennis L. Howell  
United States Magistrate Judge

