

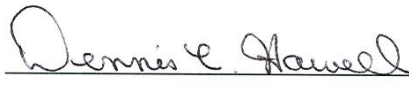
**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:14cv170**

**STANLEY JEFFREY PENLEY,** )  
 )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **MCDOWELL COUNTY BOARD OF** )  
 **EDUCATION, et al.,** )  
 )  
 **Defendants.** )  
 \_\_\_\_\_ )

**ORDER**

Pending before the Court are the Motions to Dismiss [# 13, # 16, # 19]. Defendants move to dismiss the Complaint. On September 12, 2014, Plaintiff filed an Amended Complaint. The filing of an amended pleading supersedes the original pleading 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** the Motions to Dismiss [# 13, # 16, # 19].

Signed: September 18, 2014



Dennis L. Howell  
United States Magistrate Judge

