

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:22-cv-99-MOC-DCK**

THIS MATTER comes before the Court on a Motion to Dismiss Plaintiff's Complaint, filed by Defendant. (Doc. No. 8).

Plaintiff filed an Amended Complaint on August 11, 2022. (Doc. No. 13). Because Plaintiff has filed an Amended Complaint, the pending motion to dismiss the original Complaint is moot. See Young v. City of Mount Ranier, 238 F.3d 567, 573 (4th Cir. 2001) (“The general rule ... is that an amended pleading supersedes the original pleading, rendering the original pleading of no effect.”); Turner v. Kight, 192 F. Supp. 2d 391, 397 (D. Md. 2002) (denying as moot motions to dismiss original complaint on grounds that amended complaint superseded original complaint).

IT IS THEREFORE ORDERED that:

(1) Defendant's Motion to Dismiss, (Doc. No. 8), is **DENIED** as moot.

Signed: November 18, 2022


Max O. Cogburn Jr.