

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No.: 3:12-CV-740-MOC-DSC**

WILLIAM MOBLEY,)
)
 Plaintiff,)
)
 v.)
)
 CITY OF CHARLOTTE, et. al.,)
)
 Defendants.)

ORDER

THIS MATTER is before the Court on Defendants’ “Motion to Dismiss ” (document #2) filed November 14, 2012, Plaintiff’s “[Consent] Motion to Amend Complaint” (document #4) filed December 5, 2012, and the parties’ associated briefs and exhibits. See documents ##2-1 and 3.

This matter was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636, and these Motions are now ripe for consideration.

For the reasons stated in Plaintiff’s Motion to Amend Complaint and with Defendants’ consent, the Court grants Plaintiff leave to file his Amended Complaint.

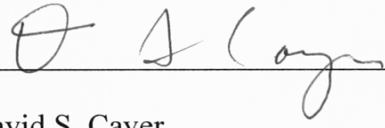
It is well settled that an amended pleading supersedes the original pleading, and that motions directed at superseded pleadings are to be denied as moot. Young v. City of Mount Ranier, 238 F. 3d 567, 573 (4th Cir. 2001) (amended pleading renders original pleading of no effect); Turner v. Kight, 192 F. Supp. 2d 391, 397 (D. Md. 2002) (denying as moot motion to dismiss original complaint on grounds that amended complaint superseded original complaint).

Accordingly, Defendants’ “Motion to Dismiss ” (document #2) is administratively **DENIED** as moot without prejudice.

The Clerk is directed to send copies of this Order to counsel for the parties, including but not limited to moving counsel; and to the Honorable Max O. Cogburn, Jr.

SO ORDERED.

Signed: December 6, 2012



David S. Cayer
United States Magistrate Judge 