

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:17-cv-00618**

G. KENNETH ORNDORFF,

Plaintiff,

v.

VILLAGE OF MARVIN, and  
MARIA GRAZIA SHKUT, in her individual  
capacity

Defendants.

**ORDER**

v.

RALEY MILLER PROPERTIES, INC.,  
RTS INVESTORS II, LLC,  
DAVID MILLER, and  
LARRY RALEY

Third-Party Defendants

**THIS MATTER** is before the Court on Defendant Village of Marvin's Motion to Dismiss (Doc. No. 6).

Plaintiff filed this case on September 15, 2017, in Union County Superior Court. On October 23, 2017, Defendants removed the matter to this Court and subsequently filed a Motion to Dismiss. Plaintiff timely filed an Amended Complaint in accordance with Fed. R. Civ. P. Rule 15 on October 26, 2017. Defendant's Motion to Dismiss has been rendered moot by Plaintiff's Amended Complaint.

**THEREFORE** Defendant's Motion to Dismiss is hereby **DISMISSED WITHOUT PREJUDICE**.

**SO ORDERED.**

Signed: November 21, 2017

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

