

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNIVERSITY OF CINCINNATI CHAPTER OF YOUNG AMERICANS FOR LIBERTY, et al.,	:	Case No. 1:12-cv-155
	:	
	:	Judge Timothy S. Black
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
UNIVERSITY OF CINCINNATI, et al.,	:	
	:	
Defendants.	:	

ORDER

Plaintiffs filed this action on February 22, 2012, naming the University of Cincinnati, Gregory H. Williams, Corinn Shemak, Cathy Krumpelbeck, Michael Cureton, and John Doe as defendants. (*See* Doc. 1). On March 13, 2012, Defendant the University of Cincinnati filed a Motion to Dismiss (Doc. 10) on the grounds that it is immune from suit under the Eleventh Amendment. Plaintiffs subsequently filed a Response in Opposition (Doc. 13), alleging that the University of Cincinnati was a proper party and that the Court had jurisdiction over the claims.

On March 21, 2012, Plaintiffs filed an Amended Complaint (Doc. 15). “Because amended complaints supersede the original pleading, the filing of the amended complaint in this case . . . render[s] the pending motion to dismiss moot.” *Yates v. Applied Performance Techs., Inc.*, 205 F.R.D. 497, 499 (S.D. Ohio 2002).

Accordingly, Defendant’s Motion to Dismiss (Doc. 10) is **DENIED** as moot.¹

¹The Court also notes that the Amended Complaint (Doc. 15) no longer names the University of Cincinnati as a defendant. (Doc. 15 at 1).

IT IS SO ORDERED.

Date: 3/22/2012

s/ Timothy S. Black
Timothy S. Black
United States District Judge