

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JEANNIE JACKSON,	:	CIVIL ACTION NO. 4:12-CV-1719
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
HOOPEs TURF FARM,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 27th day of November, 2012, upon consideration of plaintiff's amended complaint (Doc. 10), see FED. R. CIV. P. 15(a)(1)(B),¹ filed on November 26, 2012, and of defendant's motion to dismiss plaintiff's complaint (Doc. 5) filed on October 15, 2012, and of defendant's amended motion to dismiss plaintiff's complaint (Doc. 6) filed on October 19, 2012, and the court finding that an amended complaint renders the original complaint a legal nullity, see Snyder v. Pascaek Valley Hosp., 303 F.3d 271, 276 (3d Cir. 2002) ("An amended complaint supercedes the original version in providing the blueprint for the future course of the lawsuit."); 6 CHARLES ALAN WRIGHT ET AL., FEDERAL PRACTICE AND PROCEDURE § 1476 (2d ed. 1990) ("Once an amended pleading is interposed, the original pleading no longer performs any function in the case . . ."), it is hereby ORDERED that:

¹ Plaintiff did not file her amended complaint within 21 days after service of either defendant's motion to dismiss or amended motion to dismiss, pursuant to Federal Rule of Civil Procedure 15(a)(1)(B). However, the court granted (Doc. 9) plaintiff's motion (Doc. 8) for an extension of time to respond to defendant's motion to dismiss and plaintiff filed her amended complaint within that time period. Thus, the court will consider plaintiff's amended complaint timely filed.

1. Defendant shall respond to the amended complaint (Doc. 10) in accordance with the Federal Rules of Civil Procedure.
2. The motion to dismiss the complaint (Doc. 5) and the amended motion to dismiss the complaint (Doc. 6) are DENIED as MOOT without prejudice.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge