

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

PATRICIA KENNEDY, individually

Plaintiff,

v.

Case No: 2:18-cv-526-FtM-38CM

JOERG EIFLER,

Defendant.


ORDER¹

Before the Court is Joerg Eifler's Motion to Dismiss Complaint ([Doc. 12](#)). Plaintiff Patricia Kennedy has since filed an Amended Complaint ([Doc. 13](#)). Because an amended pleading supersedes an original, motions directed at the superseded pleading are moot. See [Malowney v. Fed. Collection Deposit Grp.](#), 193 F.3d 1342, 1345 n.1 (11th Cir. 1999) ("An amended complaint supersedes an original complaint."). Thus, the Court will deny Joerg Eifler's motion as moot.

Accordingly, it is now **ORDERED**:

Defendant Joerg Eifler's Motion to Dismiss Complaint ([Doc. 12](#)) is **DENIED as moot**.

DONE and **ORDERED** in Fort Myers, Florida this 20th day of September 2018.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record

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