

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

DEBRA ADORNA,

Plaintiff,

v.

Case No: 6:18-cv-1942-Orl-40TBS

DEL-AIR HEATING, AIR CONDITIONING
& REFRIGERATION, INC.,

Defendant.

ORDER

This case comes before the Court on Defendant's Motion to Dismiss the original complaint (Doc. 10) and Plaintiff's response in opposition (Doc. 14). After the motion was filed, Plaintiff amended her complaint, pursuant to FED. CIV. P. 15(a)(1)(B) (Doc. 13). Plaintiff's amended complaint moots the complaint that was the target of Defendant's motion. See Malowney v. Fed. Collection Deposit Grp., 193 F.3d 1342, 1345 n.1 (11th Cir. 1999) (noting that "[a]n amended complaint supersedes an original complaint"); see also Potter v. Lincoln Heritage Life Ins. Co., Case No. 6:16-cv-817-Orl-41KRS, 2016 WL 4055683, at *3, n.5 (M.D. Fla. June 3, 2016); Delta Sigma Theta Sorority, Inc. v. Bivins, No. 2:14-cv-147-FtM-38CM, 2014 WL 7273913, at *11 (M.D. Fla. Dec. 19, 2014); cf. Meterlogic, Inc. v. Copier Sols., Inc., 185 F. Supp. 2d 1292, 1297 (S.D. Fla. 2002) (noting that the plaintiff's filing of an amended complaint "rendered moot the parties previous pleadings and the defendants' summary judgment and Daubert motions"). Therefore, Defendant's Motion to Dismiss (Doc. 10) is **DENIED as moot**.

DONE and ORDERED in Orlando, Florida on December 26, 2018.



THOMAS B. SMITH
United States Magistrate Judge

Copies furnished to Counsel of Record