

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

DR. LANA FOSTER,	:	
	:	
Plaintiff,	:	
v.	:	CASE NO.: 7:23-CV-00089 (WLS)
	:	
ECHOLS COUNTY SCHOOL	:	
DISTRICT, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	

ORDER

Before the Court is Defendants’ Motion to Dismiss for Failure to State a Claim (“Motion to Dismiss”) (Doc. 18). Therein, Defendants ask the Court to dismiss Plaintiff’s first Complaint (Doc. 1). Defendant filed their Motion to Dismiss (Doc. 18) on October 17, 2023. Plaintiff, however, filed an Amended Complaint (Doc. 22) on November 21, 2023.

An amended complaint supersedes and replaces the original complaint unless the amended complaint specifically refers to or adopts the earlier pleading. *Varnes v. Local 91, Glass Bottle Blowers Ass’n*, 674 F.2d 1365, 1370 n. 6 (11th Cir. 1982). Here, Plaintiff submits that her Amended Complaint supersedes her original pleading. (*See* Doc. 23 at 3). Plaintiff’s first Complaint (Doc. 1), therefore, is no longer the operative complaint in the instant case, and, as a result, Defendants’ Motion to Dismiss that Complaint is moot. Accordingly, the Court **DENIES-AS-MOOT** Defendant’s Motion to Dismiss for Failure to State a Claim (Doc. 18).

SO ORDERED, this 22nd day of November 2023.

/s/ W. Louis Sands
W. LOUIS SANDS, SR. JUDGE
UNITED STATES DISTRICT COURT