UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:24-CV-00783-FDW-DCK

STEVEN BOLCH, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	**ORDER**
	)	
ROY COOPER, et al.,	)	
	)	
Defendants.	)	
	)	

THIS MATTER is before the Court on Defendants Gaston County's and Gaston County Department of Social Services's ("**Gaston County**") Motion to Dismiss, (Doc. No. 23), and Defendants Mecklenburg County's and Mecklenburg County Department of Social Services-Youth and Family Services's ("**Mecklenburg County**") Motion to Dismiss, (Doc. No. 26). Defendants Mecklenburg County also filed a Motion for a Preliminary Hearing on their Motion to Dismiss. (Doc. No. 28.)

On August 27, 2024, Plaintiffs filed their Class Action Complaint. (Doc. No. 1.) On October 10, 2024, Defendants Gaston County filed their Motion to Dismiss and memorandum in support. (Doc. Nos. 23–24.) Also on October 10, 2024, Defendants Mecklenburg County filed their Motion to Dismiss, memorandum in support, and request for a hearing on the motion. (Doc. Nos. 26–28.) On October 22, 2024, Plaintiffs filed a Consent Motion for Extension of Time to respond to Gaston County's and Mecklenburg County's Motions to Dismiss. (Doc. No. 31.) On October 23, 2024, Magistrate Judge Keesler granted Plaintiffs until November 22, 2024, to either

respond to the motions or file an Amended Complaint. (Doc. No. 32.) On November 22, 2024, Plaintiffs filed their Amended Complaint. (Doc. No. 37.)

"Upon the filing of an amended complaint, the original complaint is superseded, and motions to dismiss the original complaint are rendered moot." MB Realty Grp., Inc. v. Gaston Cty. Bd. of Educ., No. 3:17-cv-00427-FDW-DCK, 2018 WL 3381427, at *2 (W.D.N.C. July 11, 2018); see also Brown v. Sikora and Associates, Inc., 311 F. App'x 568, 572 (4th Cir. 2008). Since Plaintiffs filed an Amended Complaint, the pending motions are rendered moot.

IT IS THEREFORE ORDERED that:

1. Defendants Gaston County's Motion to Dismiss, (Doc. No. 23), is **DENIED as moot**;
2. Defendants Mecklenburg County's Motion to Dismiss, (Doc. No. 26), is **DENIED as moot**;
3. Defendants Mecklenburg County's Motion for a Preliminary Hearing on their Motion to Dismiss, (Doc. No. 28), is also **DENIED as moot**.

IT IS SO ORDERED.

Signed: November 25, 2024

Frank D. Whitney
United States District Judge