

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
LOUISIANA, SHREVEPORT DIVISION

David Louis Whitehead v. Martin Lemelle, et al.

Whitehead · No. 25-1236 · Decided December 17, 2025

SUMMARY

The court denied Defendant Martin Lemelle’s motion to dismiss as moot and without prejudice. The motion addressed the original complaint, which was superseded by Plaintiff David Louis Whitehead’s amended complaint; any challenge to the amended complaint must be raised in a new motion.

CASE DETAILS

COURT	United States District Court for the Western District of Louisiana, Shreveport Division
WRITING FOR THE COURT	S. Maurice Hicks, Jr.
JURISDICTION	United States District Court for the Western District of Louisiana, Shreveport Division
DECIDED	December 17, 2025
DOCKET	25-1236
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved to dismiss the original complaint. After the plaintiff obtained leave to amend and filed an amended complaint, the court considered the motion directed at the superseded original complaint.
PRECEDENTIAL VALUE	Unknown; memorandum order from a federal district court

TOPICS

- motions to dismiss
- motion to amend
- pleadings
- civil procedure

PRACTICE AREAS

- Civil procedure

QUESTIONS PRESENTED

1. Whether a motion to dismiss directed at an original complaint remains operative after the plaintiff files an amended complaint.

2. Whether the defendant may seek dismissal of the amended complaint through the previously filed motion.

HOLDINGS

1. An amended complaint supersedes the original complaint and renders it of no legal effect, so a motion to dismiss directed at the original complaint is moot.
2. The existing motion could not serve as a motion to dismiss the amended complaint; any challenge to the amended complaint must be presented in a new motion.

KEY QUOTATIONS

“An amended complaint supersedes the original complaint and renders it of no legal effect”

“To the extent Lemelle seeks dismissal of the Amended Complaint, a new motion must be filed.”

FACTUAL BACKGROUND

The motion to dismiss was directed to Whitehead's original complaint. Whitehead subsequently obtained leave to amend and filed an amended complaint before the district court ruled on the motion. The amended pleading superseded the original complaint.

PROCEDURAL HISTORY

Martin Lemelle filed a motion to dismiss the original complaint on November 17, 2025. David Louis Whitehead requested leave to amend on December 1, 2025; Magistrate Judge Hornsby granted leave on December 3, 2025, and Whitehead filed an amended complaint. The district court denied the motion to dismiss as moot and without prejudice because it was directed to the original complaint.

DISPOSITION

other

CASES CITED

- King v. Dogan, 31 F.3d 344, 346 (5th Cir. 1994)

OPINION

Whitehead

PER CURIAM.

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

SHREVEPORT DIVISION

DAVID LOUIS WHITEHEAD CIVIL ACTION NO. 25-1236

VERSUS JUDGE S. MAURICE HICKS, JR.

MARTIN LEMELLE, ET AL. MAGISTRATE JUDGE HORNSBY

MEMORANDUM ORDER

Before the Court is a Motion to Dismiss (Record Document 12) filed by Defendant, Martin Lemelle (“Lemelle”). For the reasons explained below, the motion is DENIED AS MOOT WITHOUT PREJUDICE. Lemelle filed this Motion to Dismiss on November 17, 2025. See Record Document

12. On December 1, 2025, Plaintiff David Louis Whitehead (“Whitehead”) requested leave to amend his complaint. See Record Document 19. Magistrate Judge Hornsby granted leave to amend on December 3, 2025, and Whitehead submitted an Amended Complaint (Record Document 24). “An amended complaint supersedes the original complaint and renders it of no legal effect” King v. Dogan, 31 F.3d 344, 346 (5th Cir. 1994). The Motion to Dismiss (Record Document 12) was directed toward the original complaint rather than the amended complaint. To the extent Lemelle seeks dismissal of the Amended Complaint, a new motion must be filed. Accordingly, the Motion to Dismiss (Record Document 12) is DENIED AS MOOT WITHOUT PREJUDICE. THUS DONE AND SIGNED, in Shreveport, Louisiana, this 17th day of December, 2025. KA fplen/

~_ §, MAURICE HICKS, JR?

UNITED STATES DISTRICT JUDGE