

**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 The motion addressed the original complaint, which was superseded by Plaintiff David Louis Whitehead’s amended complaint; any challenge to the amended complaint must be raised in a new motion.

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

