

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Alaina Castillo Noguez v. State of Oregon; Warren Roberts; Joe Bugher; Deena Lozier; Jackie Solgan; Assie Fischer; and Richard Greenman

Castillo Noguez v. State of Oregon · No. 3:26-cv-215-SI · Decided May 15, 2026

SUMMARY

The United States District Court for the District of Oregon denied as moot two motions to dismiss filed against the original complaint in a 42 U.S.C. § 1983 action and related Oregon Tort Claims Act negligence claim. The court held that the First Amended Complaint superseded the original complaint, rendering the motions directed to the original complaint moot.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Michael H. Simon
JURISDICTION	United States District Court for the District of Oregon
DECIDED	May 15, 2026
DOCKET	3:26-cv-215-SI
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed an action under 42 U.S.C. § 1983 and asserted a negligence claim. Two defendants moved to dismiss the original complaint for failure to state a claim. Plaintiff then filed a first amended complaint, and the court denied the pending motions as moot because they were directed to the superseded original complaint.
PRECEDENTIAL VALUE	unpublished

TOPICS

- motions to dismiss
- pleadings
- motion to amend
- civil procedure
- section 1983

PRACTICE AREAS

- civil procedure
- civil rights

QUESTIONS PRESENTED

1. Whether defendants' motions to dismiss the original complaint became moot after plaintiff filed a first amended complaint.
2. Whether motions directed at a complaint superseded by an amended complaint should be denied.

HOLDINGS

1. A first amended complaint supersedes the original complaint, rendering motions directed at the original complaint moot.

KEY QUOTATIONS

“It is well-established in our circuit that an ‘amended complaint supersedes the original, the latter being treated as non-existent.’”

“Because Plaintiff’s FAC supersedes her original complaint, and because Defendants’ Motions to Dismiss were directed at the original complaint, those Motions are now moot.”

FACTUAL BACKGROUND

Plaintiff alleged that the defendants violated her Eighth Amendment rights by subjecting her to unsafe prison labor and by denying or delaying medical care. She also asserted a negligence claim against the State of Oregon under the Oregon Tort Claims Act. The court resolved only the procedural effect of Plaintiff’s amended complaint on the pending motions to dismiss.

PROCEDURAL HISTORY

Plaintiff filed suit on January 30, 2026. Warren Roberts and Joe Bugher separately moved to dismiss the original complaint on April 16 and April 23, 2026. Plaintiff filed a first amended complaint on April 30, 2026. The district court held that the amended complaint superseded the original complaint and denied the pending motions to dismiss as moot.

DISPOSITION

other

CASES CITED

- Ramirez v. Cnty. of San Bernardino, 806 F.3d 1002, 1008 (9th Cir. 2015)
- Singh v. Trump, 2019 2192127, at *2 (D. Or. May 21, 2019)
- United States v. Shofner Iron & Steel Works, 71 F. Supp. 161, 162 (D. Or. 1947)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON ALAINA CASTILLO NOGUEZ, Case No. 3:26-cv-215-SI Plaintiff, ORDER v. STATE OR OREGON; WARREN ROBERTS; JOE BUGHER; DEENA LOZIER; JACKIE SOLGAN; ASSIE FISCHER; and RICHARD GREENMAN, Defendants. Michael H. Simon, District Judge.

On January 30, 2026, Plaintiff filed suit under 42 U.S.C. § 1983, claiming that Defendants violated her Eighth Amendment rights by subjecting her to “unsafe prison labor” and subsequently denying and delaying medical care. ECF 1 ¶ 1. Plaintiff also brought a negligence claim against the State of Oregon under the Oregon Tort Claims Act. *Id.* On April 16, 2026, Defendant Warren Roberts filed a Motion to Dismiss for failure to state a claim, ECF 15.

On April 23, Defendant Joe Bugher also filed a Motion to Dismiss for failure to state a claim, ECF 18. On April 30, 2026, Plaintiff filed a First Amended Complaint (“FAC”), ECF 19. “It is well-established in our circuit that an ‘amended complaint supersedes the original, the latter being treated as non-existent.’” *Ramirez v. Cnty. of San Bernardino*, 806 F.3d 1002, 1008 (9th Cir.

2015). Motions directed at a complaint that has been superseded should be denied on grounds of mootness. *Id.*; see also *Singh v. Trump*, 2019 2192127, at *2 (D. Or. May 21, 2019) (“Because Plaintiffs will file an amended complaint, Defendants’ pending motion to dismiss the original complaint is now moot”); *United States v. Shofner Iron & Steel Works*, 71 F. Supp. 161, 162 (D.

Or. 1947) (“As the amended complaint supersedes the original complaint no motion of any kind can now be addressed to the original complaint as it performs no function in the action.”). Because Plaintiff’s FAC supersedes her original complaint, and because Defendants’ Motions to Dismiss were directed at the original complaint, those Motions are now moot.

The Court DENIES Dr. Roberts’ Motion to Dismiss, ECF 15, and Mr. Bugher’s Motion to Dismiss, ECF 18. IT IS SO ORDERED. DATED this 15th day of May, 2026. /s/ Michael H. Simon Michael H. Simon United States District Judge