

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

OPINION

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

PER CURIAM.

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 Motions directed at a complaint that has been superseded should be denied on grounds of mootness.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

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