

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Mothershed-Bey-Bey v. Canik USA, LLC, et al.

No. CIV-26-288-G, United States District Court for the Western District of Oklahoma (April 3, 2026)

SUMMARY

The court denied as moot two partial motions to dismiss because the plaintiff’s amended complaint superseded the original pleading. The court also denied as moot a motion for an extension of time filed by Academy Sports & Outdoors, Inc. and Academy, Ltd.

CASE DETAILS

COURT	United States District Court for the Western District of Oklahoma
WRITING FOR THE COURT	Charles B. Goodwin
JURISDICTION	United States District Court for the Western District of Oklahoma
DECIDED	April 3, 2026
DOCKET	CIV-26-288-G
DISPOSITION	other
PROCEDURAL POSTURE	Defendants filed partial motions to dismiss the claims in Plaintiff's original pleading. Plaintiff timely filed an amended complaint while the motions were pending.
PRECEDENTIAL VALUE	unknown
PARTIES	Warees Malachi Mothershed-Bey-Bey v. Canik USA, LLC, Century Arms, Inc., Century International Arms, Inc., Academy Sports & Outdoors, Inc., Academy, Ltd.

TOPICS

- motions to dismiss
- pleadings
- civil procedure

PRACTICE AREAS

- civil procedure
- product liability

QUESTIONS PRESENTED

1. Whether the defendants' partial motions to dismiss the original pleading remained viable after Plaintiff filed a timely amended complaint.
2. Whether the defendants' related motion for an extension of time should be denied as moot.

HOLDINGS

1. A timely filed amended complaint supersedes the original pleading and renders the original pleading of no legal effect; therefore, motions directed to the original pleading are moot.
2. The defendants' motion for an extension of time was denied as moot.

KEY QUOTATIONS

“Plaintiff’s Amended Complaint supersedes the original pleading and renders it of no legal effect.”

FACTUAL BACKGROUND

Plaintiff filed an initial pleading asserting claims against the defendants. Before the defendants' partial motions to dismiss were resolved, Plaintiff timely filed an amended complaint.

PROCEDURAL HISTORY

Defendants Canik USA, LLC, Century Arms, Inc., Century International Arms, Inc., Academy Sports & Outdoors, Inc., and Academy, Ltd. moved to dismiss portions of the original pleading. Plaintiff filed an amended complaint, and the court held that the amended complaint superseded the original pleading, rendering the pending partial motions to dismiss and a related motion for extension of time moot.

DISPOSITION

other

CASES CITED

- Davis v. TXO Prod. Corp., 929 F.2d 1515, 1517 (10th Cir. 1991)

OPINION

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA
WAREES MALACHI)
MOTHERSHED-BEY-BEY,)) Plaintiff,)) v.)
Case No. CIV-26-288-G)
CANIK USA, LLC, et al.,)) Defendants.)
ORDER Now before the Court is a Partial Motion to Dismiss (Doc. No. 11) filed by Defendants Canik USA, LLC, Century Arms, Inc., and Century International Arms, Inc. Also before the Court is Partial Motion to Dismiss (Doc.

No. 20) filed by Defendants Academy Sports & Outdoors, Inc. and Academy, Ltd. Both Motions seek dismissal of claims raised in Plaintiff Warees Malachi Mothershed-Bey-Bey’s initial pleading (Doc. No. 1-1). Plaintiff has now timely filed an Amended Complaint (Doc. No. 27). Plaintiff’s Amended Complaint supersedes the original pleading and renders it of no legal effect.

See *Davis v. TXO Prod. Corp.*, 929 F.2d 1515, 1517 (10th Cir. 1991). Accordingly, the pending Partial Motions to Dismiss (Doc. Nos. 11, 20) are DENIED as moot. IT IS FURTHER ORDERED that Defendants Academy Sports & Outdoors, Inc. and Academy, Ltd.'s Motion for Extension of Time (Doc. No. 13) is DENIED as moot. IT IS SO ORDERED this 3rd day of April, 2026.
CHARLES B. GOODWIN United States District Judge