

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

JORDAN HARDMAN

Plaintiff,

v.

**UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS and
STEVEN RIOS,**

Defendants.

CIVIL ACTION

No. 19-02251-KHV

MEMORANDUM AND ORDER

On May 22, 2019, Jordan Hardman filed suit against the Unified Government of Wyandotte County, Kansas City, Kansas and Steven Rios. Complaint (Doc. #1). Plaintiff asserts that Steven Rios sexually harassed and sexually assaulted her in violation of her constitutional rights, and brings her claims against Rios under 42 U.S.C. § 1983 (Count 3). This matter comes before the Court on Rios's Motion To Dismiss (Doc. #18) filed August 2, 2019.

Rios filed his motion to dismiss in response to plaintiff's Complaint (Doc. #1). On August 15, 2019, plaintiff filed a First Amended Complaint (Doc. #21). Therefore, the Court overrules Rios's motion as moot. See Mink v. Suthers, 482 F.3d 1244, 1254 (10th Cir. 2007) (amended complaint supersedes original complaint).

IT IS THEREFORE ORDERED that defendant's Motion To Dismiss (Doc. #18) filed August 2, 2019 is **OVERRULED**.

Dated this 12th day of September, 2019 at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge