

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

AMBER COLVILLE, et al.

Plaintiffs,

No. 1:22-cv-113-HSO-RPM

v.

XAVIER BECERRA, et al.,

Defendants.

OPPOSITION TO DEFENDANTS' MOTION TO DISMISS

Defendants filed a motion to dismiss on July 11. *See* Doc. 15. Initially, Plaintiffs had 14 days to either oppose the motion, Local Rule 7(b)(4), or to amend their complaint as of right, *cf.* Fed. R. Civ. P. 15(a)(1)(B). Plaintiffs obtained an extension of those deadlines to today, August 24.

Earlier today, Plaintiffs filed an amended complaint, exercising their right to address Defendants' arguments in their pleading instead of an opposition to the motion to dismiss. Defendants' motion to dismiss the *original* complaint, which no longer exists, should be denied as moot. *See Williams v. CIBA Vision Corp.*, 2014 WL 12639101, at *2 (S.D. Miss. Sept. 15) (Ozerden, J.) (denying a motion to dismiss "as moot" in light of an amended complaint).

Dated: August 24, 2022

Respectfully submitted,

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*pro hac vice
**pro hac vice pending
***pro hac vice forthcoming

CERTIFICATE OF SERVICE

I e-filed this opposition with the Court, which will email everyone requiring service.

Dated: August 24, 2022

s/ Jennifer Moran Young