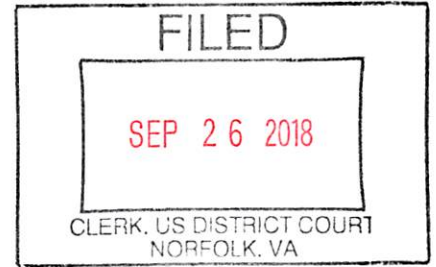


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division



LATASHA HOLLOWAY,

Plaintiff,

v.

ACTION NO. 2:18cv69

CITY OF VIRGINIA BEACH, VIRGINIA,

Defendant.

ORDER

This matter is before the Court on the following motions filed by Plaintiff Latasha Holloway (“Plaintiff”) and Defendant City of Virginia Beach, Virginia (“Defendant”):

- (i) Defendant’s Motion to Dismiss, ECF No. 13;
- (ii) Plaintiff’s “Motion for Leave to File an Amended Complaint and Join Additional Parties [sic] Defendants” (“First Motion to Amend”), ECF No. 28;
- (iii) Plaintiff’s request to correct the case number listed on her previously filed proposed Amended Complaint (“Second Motion to Amend”), ECF No. 32;
- (iv) Plaintiff’s “Motion for Enlargement of Time to Respond to Defendant” (“Motion for Extension”), ECF No. 33;
- (v) Plaintiff’s “Motion to Certify Case as a Class” (“Motion to Certify”), ECF No. 34;
- (vi) Plaintiff’s “Motion to Request a Preliminary Injunction” (“Motion for Preliminary Injunction”), ECF No. 35;
- (vii) Plaintiff’s “Motion to Reconsider Appointment of Counsel” (“Motion for Reconsideration”), ECF No. 37;
- (viii) Plaintiff’s “Motion to Stay Proceedings” (“Motion to Stay”), ECF No. 41; and
- (iv) Plaintiff’s “Motion to Add Parties [sic] Georgia F. Allen” (“Third Motion to Amend”), ECF No. 43.

In light of Plaintiff's recent retention of counsel, as discussed below, the Court *sua sponte* **GRANTS** Plaintiff leave to file an Amended Complaint within forty-five days of the date of entry of this Order. Accordingly, the pending motions identified above, ECF Nos. 13, 28, 32, 33, 34, 35, 37, 41, and 43, are **DISMISSED as moot**.

I. Background

Plaintiff initiated this action as a *pro se* litigant. Order, ECF No. 4; Compl., ECF No. 5. On September 24, 2018, Charquia Wright filed an Appearance of Counsel in which she indicated that she would serve as Plaintiff's counsel in this action. Appearance Counsel, ECF No. 48. The Court recognizes that when counsel is retained by a *pro se* plaintiff prior to the entry of any substantive Court orders, the plaintiff may wish to file an Amended Complaint based on the legal input of the newly-retained counsel. The Court is also mindful of the time and effort that will be needed for Ms. Wright to familiarize herself with the case, and consult with her new client regarding legal strategies. In light of Plaintiff's recent retention of counsel, the Court **GRANTS** Plaintiff leave to file an Amended Complaint within forty-five days from the date of entry of this Order. The Court's *sua sponte* decision to grant Plaintiff leave to file an Amended Complaint renders all of the pending motions in this action moot. *See Young v. City of Mt. Rainier*, 238 F.3d 567, 572 (4th Cir. 2001) (noting that an amended complaint supersedes the original complaint and renders it of no legal effect).

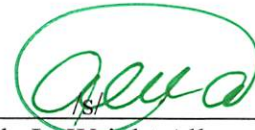
II. Conclusion

For the reasons set forth above, the Court **GRANTS** Plaintiff leave to file an Amended Complaint within forty-five days from the date of entry of this Order. As a result, Defendant's Motion to Dismiss, ECF No. 13, is **DISMISSED as moot**; Plaintiff's First Motion to Amend, ECF No. 28, is **DISMISSED as moot**; Plaintiff's Second Motion to Amend, ECF No. 32, is

DISMISSED as moot; Plaintiff's Motion for Extension, ECF No. 33, is **DISMISSED as moot**; Plaintiff's Motion to Certify, ECF No. 34, is **DISMISSED as moot**; Plaintiff's Motion for Preliminary Injunction, ECF No. 35, is **DISMISSED as moot**; Plaintiff's Motion for Reconsideration, ECF No. 37, is **DISMISSED as moot**; Plaintiff's Motion to Stay, ECF No. 41, is **DISMISSED as moot**; and Plaintiff's Third Motion to Amend, ECF No. 43, is **DISMISSED as moot**.

The Clerk is **DIRECTED** to send a copy of this Order to all counsel of record.

IT IS SO **ORDERED**.



Arenda L. Wright Allen
United States District Judge

Norfolk, Virginia

Sept 26th, 2018