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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

GREGORY DOWNS,

Plaintiff,

v.

CALIFORNIA BOARD OF PRISON
TERMS, et al.,

Defendants.

CASE NO. 1:09-cv-00714-GBC (PC)

ORDER DENYING AS MOOT MOTION TO
AMEND

(Doc. 44)

NO FURTHER FILINGS WILL BE
ACCEPTED IN THIS CLOSED CASE

_____ /

Plaintiff Gregory Downs (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on April 22, 2009. Doc. 1. On September 11, 2009, the Court screened the complaint and dismissed the complaint with leave to amend. Doc. 13. Plaintiff filed the first amended complaint on April 5, 2010. Doc. 22. On July 20, 2010, and October 29, 2010, Plaintiff filed motions to amend the complaint (Docs. 30, 32) and on November 18, 2010, Plaintiff’s second amended complaint was submitted and lodged. Doc. 33. On May 11, 2011, the Court granted Plaintiff’s request to amend the complaint, screened Plaintiff’s second amended complaint submitted on November 18, 2010, and dismissed action without prejudice for failure to state a claim. Doc. 37. On May 23, 2011, Plaintiff filed a motion for reconsideration. Doc. 39. On June 16, 2011, Plaintiff filed a motion to file an amended complaint. Doc. 42. On November 7, 2011, the Court denied Plaintiff’s motion for reconsideration and denied all pending motions as moot. Doc. 43.

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1 As the action has been dismissed Plaintiff's motion for leave to amend the complaint is moot.

2 Based on the foregoing, the Court HEREBY ORDERS:

- 3 1. Plaintiff's motion for leave to file an amended complaint filed December 12, 2011,
4 is DENIED as moot (Doc. 44); and
5 2. No further filings will be accepted in this closed case.

6
7 IT IS SO ORDERED.

8 Dated: December 20, 2011

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UNITED STATES MAGISTRATE JUDGE