UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

THOMAS L. DAVIS, CASE NO. 1:10-cv-1457-MJS

Plaintiff, ORDER GRANTING MOTION TO AMEND

v. (ECF No. 20) USP FLORENCE, et al.,

Defendants.

Plaintiff Thomas L. Davis ("Plaintiff") is a federal prisoner proceeding pro se and in forma pauperis in this civil action. On November 16, 2010, Plaintiff filed his First Amended Complaint. (ECF No. 19.) On November 22, 2010, Plaintiff filed a document entitled: "Motion to Amend Complaint; Motion to Re-Open Civil Action" with an amended complaint, which the Court will refer to as Plaintiff's Second Amended Complaint, attached. (ECF No. 20.) Because the Court had not acted on Plaintiff's First Amended Complaint, the Court will allow Plaintiff to further amend his complaint. Accordingly, Plaintiff's Motion to Amend is GRANTED.¹ The Court will consider the November 22, 2010 Second Amended

As this civil case is open and active, Plaintiff's Motion to Re-Open is DENIED as moot.

1	Complaint the operative complaint in this case.		
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3	IT IS SO ORDERED.		
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5	Dated: _	March 24, 2011	
6			UNITED STATES MAGISTRATE JUDGE
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