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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JESSE MANNY CANEZ,

Plaintiff,

v.

OLIVER,

Defendant.

CASE NO. 1:10-cv-02065-OWW-SKO PC

ORDER DENYING MOTION TO
AMEND AS UNNECESSARY AND
STRIKING DUPLICATIVE MOTION
TO AMEND

(Docs. 8 and 10)

Plaintiff Jessy Manny Canez, a prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on November 8, 2010. On December 17, 2010, Plaintiff filed a motion seeking leave to amend, and on March 8, 2011, Plaintiff filed a duplicative motion to amend.

Plaintiff has not previously amended and may amend once as a matter of right at this stage in the proceedings. Fed. R. Civ. P. 15(a)(1). Because Plaintiff does not need leave of court to file an amended complaint, his motion is HEREBY DENIED as unnecessary. Plaintiff's duplicative motion to amend is STRICKEN from the record.

IT IS SO ORDERED.

Dated: April 8, 2011

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE