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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT BISHOP,

Plaintiff,

v.

KELLY HARRINGTON, et al.,

Defendants.

CASE NO. 1:11-cv-00094-SAB (PC)

ORDER DENYING MOTION TO
AMEND AS UNNECESSARY

(ECF No. 19)

Plaintiff Robert Bishop, a prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on January 10, 2011. On March 15, 2013, Plaintiff filed a motion seeking leave to amend his complaint. (ECF No. 19.)

Under Rule 15(a) of the Federal Rules of Civil Procedure, a party may amend the party's pleading once as a matter of course at any time before a responsive pleading is served. Otherwise, a party may amend only by leave of the court or by written consent of the adverse party, and leave shall be freely given when justice so requires. Fed. R. Civ. P. 15(a). Here, Plaintiff does not need leave of the Court to file a first amended complaint because no responsive pleading have been filed yet. Accordingly, Plaintiff's motion to file an amended complaint is HEREBY DENIED as unnecessary.

IT IS SO ORDERED.

Dated: March 19, 2013


UNITED STATES MAGISTRATE JUDGE