

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DE SHAWN MALONE,

Plaintiff,

v.

F. GONZALEZ, et al.,

Defendants.

CASE NO. 1:11-CV-0697 DLB PC

ORDER DISREGARDING MOTION FOR
LEAVE TO FILE FIRST AMENDED
COMPLAINT
(DOC. 10)

Plaintiff De Shawn Malone ("Plaintiff") is a California state prisoner proceeding pro se and in forma pauperis in this civil rights action. On September 27, 2011, Plaintiff filed a motion seeking leave to file an amended complaint. Plaintiff concurrently filed his first amended complaint. However, a party may amend its pleading once as a matter of course. Fed. R. Civ. P. 15(a). Accordingly, Plaintiff's motion is DISREGARDED as unnecessary.

IT IS SO ORDERED.

Dated: November 7, 2011**/s/ Dennis L. Beck**
UNITED STATES MAGISTRATE JUDGE