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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ANTHONY NGUYEN,

Plaintiff,

v.

BITER, M.D., et al.,

Defendants.

CASE NO. 1:11-cv-00809-OWW-SKO PC

ORDER DENYING MOTION TO AMEND
AS UNNECESSARY

(Doc. 12)

Plaintiff Anthony Nguyen, a state prisoner proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983 on May 18, 2011. On June 9, 2011, Plaintiff filed a motion seeking leave to amend.

Plaintiff has not previously amended and therefore, he 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.¹

IT IS SO ORDERED.

Dated: June 13, 2011

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

¹ If Plaintiff elects to file an amended complaint as a matter of right, it must be complete within itself without reference to his prior complaint. Forsyth v. Humana, Inc., 114 F.3d 1467, 1474 (9th Cir. 1997); King v. Atiyeh, 814 F.2d 565, 567 (9th Cir. 1987); Local Rule 220.