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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

WILLIAM ATCHERLEY,	)	1:12cv00225 LJO DLB PC
	)	
Plaintiff,	)	ORDER DENYING PLAINTIFF’S
	)	MOTION FOR LEAVE TO FILE
vs.	)	THIRD AMENDED COMPLAINT AS
	)	MOOT
EDGAR CLARK, et al.,	)	
	)	(Document 206)
Defendants.	)	

Plaintiff William Atcherley (“Plaintiff”) is a prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 28 U.S.C. § 1983.

This action is proceeding on Plaintiff’s Second Amended Complaint, filed on October 14, 2014, for violation of the Eighth Amendment and negligence against numerous Defendants.

On January 16, 2015, the Court granted Plaintiff’s November 24, 2014, motion for leave to file a Third Amended Complaint. The Court ordered Plaintiff to file his Third Amended Complaint, but explained that it would be subject to screening.

On January 26, 2015, the Court received a second motion for leave to file a Third Amended Complaint. Plaintiff signed the motion on January 15, 2015, and he did not yet have the Court’s prior ruling.

1           Accordingly, as leave has already been granted, Plaintiff's motion is DENIED AS  
2 MOOT.

3           Plaintiff's Third Amended Complaint, filed on January 26, 2015, will be screened in due  
4 course.

5  
6 IT IS SO ORDERED.

7  
8 Dated: January 28, 2015

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE