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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ARTHUR TORLUCCI,
Plaintiff,
v.
USA, et al.,
Defendants.

Case No. 1:13-cv-00423-SKO PC
Appeal No. 13-16338
**ORDER DENYING MOTION AND
DIRECTING CLERK'S OFFICE TO
RETURN PROPOSED FILING TO
PLAINTIFF**
(Doc. 39)

This case was dismissed on April 30, 2013, with prejudice, and Plaintiff Arthur Torlucci's appeal of the dismissal is currently pending before the United States Court of Appeals for the Ninth Circuit.

On June 9, 2014, Plaintiff filed a motion seeking leave to file a second amended and/or supplemental complaint. Fed. R. Civ. P. 15. This case has been closed for more than one year and it is on appeal. Plaintiff's motion is **HEREBY DENIED** and the Clerk's Office shall return his proposed amended pleading to him.

IT IS SO ORDERED.

Dated: **June 11, 2014**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE