UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

LATWAHN McELROY,

Plaintiff,

v.

INSTITUTIONAL HEAD GROUND, et al.,

Defendants.

/

CASE NO. 1:13-cv-0483-MJS (PC)

ORDER DENYING PLAINTIFF'S MOTION TO AMEND AS MOOT

(ECF No. 13)

Plaintiff Latwahn McElroy ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has consented to the Magistrate Judge handling all matters in this action. (ECF No. 12.)

Before the Court is Plaintiff's motion to amend his Complaint. (ECF No. 13.) Plaintiff's asks for permission to amend his Complaint because he has found additional information regarding his John Doe defendants. (Id.) However, since Plaintiff filed his motion, the Court dismissed Plaintiff's Complaint for failure to state a claim with leave to amend. (ECF No. 14.) Plaintiff currently has nearly thirty days in which to file an amended pleading in which he can include information about the Doe defendants.

Accordingly, Plaintiff's motion to amend is DENIED as moot.

IT IS SO ORDERED.

Dated: July 8, 2013

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE

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