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

NATHAN SESSING,  
Plaintiff,

v.

JEFFREY BEARD, et al.,  
Defendants.

Case No. 1:13-cv-01684-LJO-MJS (PC)

**ORDER GRANTING PLAINTIFF'S  
MOTION TO FILE AMENDED PLEADING**  
**(ECF No. 17)**

**ORDER DIRECTING CLERK TO FILE  
LODGED THIRD AMENDED COMPLAINT**  
**(ECF No. 18)**

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. The First Amended Complaint was dismissed for failure to state a claim. Plaintiff filed a Second Amended Complaint which has not yet been screened.

On June 11, 2014, Plaintiff filed a motion to file a third amended complaint (ECF No. 17) and concurrently lodged a Third Amended Complaint (ECF No. 18).

Plaintiff need not seek the Court's permission to amend his pleading because service has not been ordered. Fed. R. Civ. P. 15(a). Accordingly, the Court sees no reason to deny the requested relief. See *Amerisource Bergen Corp. v. Dialysis West, Inc.*, 465 F.3d 946, 951 (9th Cir. 2006), quoting Fed. R. Civ. P. 15(a) (the court shall freely grant leave to amend when justice so requires).

GOOD CAUSE APPEARING THEREFOR, IT IS HEREBY ORDERED that:

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1. Plaintiff's June 11, 2014 motion to file a third amended complaint (ECF No. 17) is GRANTED, and
2. The Clerk is directed to file into the record the June 11, 2014 lodged Third Amended Complaint (ECF No. 18).

IT IS SO ORDERED.

Dated: June 20, 2014

/s/ Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE