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

RODNEY O’NEAL BROWN,)	Case No.: 1:14-cv-01184-LJO-BAM (PC)
Plaintiff,)	
v.)	ORDER DENYING PLAINTIFF’S SECOND
)	MOTION FOR LEAVE TO AMEND HIS
JEFFREY BROWN, et al.,)	COMPLAINT AS UNNECESSARY
Defendants.)	(ECF No. 9)
)	
)	
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)	

Plaintiff Rodney O’Neal Brown (“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 initiated this action on July 29, 2014. On August 14, 2014, Plaintiff filed a motion for leave to amend his complaint to reflect the true name of a defendant. (ECF No. 5.) The Court denied the motion as unnecessary because, at the time, Plaintiff was entitled to amend his complaint as a matter of right. (ECF No. 7.)

On September 17, 2014, Plaintiff filed a notice of change of address and a second motion to amend his complaint to reflect the true names of defendants. (ECF No. 9.)

Despite the Court’s earlier order, Plaintiff did not amend his complaint. Given that Plaintiff has not previously amended his complaint, he may amend once as a matter of right at this stage in the proceedings. Fed. R. Civ. P. 15(a)(1). In other words, Plaintiff may amend his complaint without a court order at this time.

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Accordingly, as Plaintiff does not need leave of court to file an amended complaint, his motion is HEREBY DENIED as unnecessary.

IT IS SO ORDERED.

Dated: October 1, 2014

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE