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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 LAVON C. DAVIS,

12 Plaintiff,

13 v.

14 CORDOVA, et al.,

15 Defendants.
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Case No. 1:14-cv-02072 DLB PC

ORDER DISREGARDING PLAINTIFF'S
MOTION TO FILE FIRST AMENDED
COMPLAINT

[ECF No. 12]

17 Plaintiff Lavon C. Davis, a state prisoner proceeding pro se and in forma pauperis, filed
18 this civil rights action pursuant to 42 U.S.C. § 1983 on December 29, 2014.

19 On April 17, 2014, Plaintiff filed a motion for leave to file an amended complaint. On
20 the same date, Plaintiff filed a First Amended Complaint.

21 Rule 15(a) of the Federal Rules of Civil Procedure permits a party to amend its pleading
22 once as a matter of course within 21 days of serving it, or 21 days after service of a responsive
23 pleading. In this case, the initial complaint had not yet been screened and served. Accordingly,
24 Plaintiff's First Amended Complaint was filed as a matter of course. Plaintiff's motion for leave
25 to file the amended complaint is thus disregarded as unnecessary.

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1 The Court will screen the First Amended Complaint in due course.

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3 IT IS SO ORDERED.

4 Dated: April 22, 2015

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE