

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

KEVIN E. FIELDS,  
Plaintiff,  
v.  
JEFFREY BEARD, et al.,  
Defendants.

Case No. 1:15-cv-00666 AWI DLB PC  
ORDER DISREGARDING PLAINTIFF’S  
MOTION FOR LEAVE TO AMEND  
COMPLAINT AND MOTION FOR  
EXTENSION OF TIME TO FILE  
COMPLAINT  
[ECF Nos. 5, 14]

Plaintiff Kevin E. Fields, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on November 5, 2014. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. The complaint is currently pending screening by the Court.

On December 4, 2014, Plaintiff filed a motion to amend the complaint. On May 29, 2015, he filed a motion for extension of time to file an amended complaint. Rule 15(a) of the Federal Rules of Civil Procedure provides that a party may amend its pleading once as a matter of course within 21 days after serving it, or if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f). In this case, the complaint has not yet been screened and served on Defendants. Per Rules 15(a), Plaintiff may amend once as a matter of course. Therefore, Plaintiff’s motions for leave to amend or for an extension of time are unnecessary.

