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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NICHOLAS PATRICK,
Plaintiff,
v.
REYNAGA, et al.,
Defendant.

1:16-cv-00239-LJO-MJS (PC)
ORDER DENYING MOTION TO AMEND
AS MOOT
(ECF NO. 24)
ORDER GRANTING PLAINTIFF'S FIRST
MOTION TO EXTEND TIME TO FILE
SECOND AMENDED COMPLAINT
(ECF NO. 27)
THIRTY-DAY DEADLINE

Plaintiff is a prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. On November 21, 2016, the Court granted Plaintiff's motion to dismiss the first amended complaint and granted Plaintiff leave to amend within thirty days. (ECF No. 26.) Simultaneous with the signing of that order, Plaintiff filed a motion to amend and lodged a proposed amended complaint. (ECF Nos. 24 and 25.) Therein, Plaintiff sought to add additional defendants to the first amended complaint which, as stated, has been dismissed with leave to amend.

Additionally, on December 29, 2016, Plaintiff filed a motion to extend time to file

1 his second amended complaint, as ordered in the Court's November 21, 2016 order.

2 Because Plaintiff already has been granted leave to amend, his motion to amend
3 (ECF No. 24) is HEREBY DENIED as moot. Because Plaintiff is in the process of
4 preparing a second amended complaint (ECF No. 25), the lodged proposed amended
5 complaint will not be filed.

6 Because Plaintiff has presented good cause, his motion for extension of time to
7 file a second amended complaint (ECF No. 27) is HEREBY GRANTED. Plaintiff is
8 granted thirty days from the date of service of this order in which to file second amended
9 complaint.

10 IT IS SO ORDERED.

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12 Dated: January 11, 2017

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE

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