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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TONY ASBERRY,
Plaintiff,
v.
C. RELEVANTE, et al.,
Defendants.

Case No. 1:16-cv-01741-DAD-MJS (PC)
**ORDER DENYING AS MOOT MOTION TO
AMEND**
(ECF NO. 29)

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983. The action proceeds on the following claims: an Eighth Amendment claim for deliberate indifference to a serious medical need against defendants Lozovoy and Relevante, an Eighth Amendment conditions of confinement claim against defendants Ferris and Godfrey, and a First Amendment retaliation claim against defendants Ferris and Godfrey.

1 On July 10, 2017, Plaintiff filed a motion to amend his prayer for relief. (ECF No.
2 29.) Subsequently, on August 9, 2017, he filed a motion to amend his entire pleading
3 and lodged a proposed amended complaint. (ECF Nos. 44, 45.)

4 Plaintiff's original motion to amend has been superseded by his subsequent
5 motion. Accordingly, his original motion (ECF No. 29) is HEREBY DENIED as moot. His
6 subsequent motion will be addressed by separate order and in due course.

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8 IT IS SO ORDERED.

9 Dated: September 12, 2017

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE

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