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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	MELVIN RAY BRUMMETT, JR.,) Case No.: 1:17-cv-00639-SAB (PC)
12	Plaintiff,))) ORDER DENYING PLAINTIFF'S MOTION TO
13	v.	AMEND THE COMPLAINT AS UNNECESSARY
14	J. RIVERO,) [ECF No. 26]
15	Defendant.))
16))
17	Plaintiff Melvin Ray Brummett, Jr. is appearing pro se and in forma pauperis in this civil rights	
18	action pursuant to 42 U.S.C. § 1983.	
19	Currently before the Court is Plaintiff's motion to amend the complaint, along with a first	
20	amended complaint which was lodged on November 14, 2017.	
21	On May 8, 2017, the Court severed Plaintiff's retaliation claim against Defendant J. Rivero	
22	from his retaliation claim against Defendant Dean in case number 1:16-cv-01400-AWI-SAB (PC),	
23	Melvin Ray Brummett, Jr. v. R. A. Dean, and the instant action was opened.	
24	In the instant motion, Plaintiff seeks to amend the complaint "in order to completely separate	
25	his civil complaints." Plaintiff is advised that amendment of the complaint is not necessary as this	
26	action is proceeding solely on his retaliation claim against Defendant J. Rivero and his retaliation	
27	claim against Defendant Dean is proceeding in case number 1:16-cv-01400-AWI-SAB (PC), Melvin	
28	Ray Brummett, Jr. v. R. A. Dean.	

1	Accordingly, Plaintiff's motion to amend the complaint is denied as unnecessary.	
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3	IT IS SO ORDERED.	
4	Dated: November 15, 2017	
5	UNITED STATES MAGISTRATE JUDGE	
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