

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TYRONE SMITH,

Plaintiff,

v.

STANISLAUS COUNTY SHERIFF'S
DEPARTMENT, et al.,

Defendants.

No. 1:17-cv-00847-AWI-JLT (PC)

**ORDER GRANTING PLAINTIFF'S
MOTION FOR LEAVE TO AMEND**

(Doc. 7)

Plaintiff has filed a motion seeking leave to file an amended complaint. (Doc. 7.)

Because Plaintiff has not previously amended his complaint and defendants have not filed a responsive pleading, Plaintiff may file an amended complaint without permission from the Court. Fed. R. Civ. P. 15(a). Plaintiff is informed that if he files a new pleading, the amended complaint supercedes the original complaint. *Lacey v. Maricopa County*, Nos. 09-15806, 09-15703, 2012 WL 3711591, at *1 n.1 (9th Cir. Aug. 29, 2012) (en banc). Thus, the amended complaint must be "complete in itself without reference to the prior or superceded pleading." Local Rule 220.

Accordingly, Plaintiff's motion to amend is GRANTED, though the Court's permission is unnecessary. The Clerk's Office is DIRECTED to send Plaintiff a civil rights complaint form.

IT IS SO ORDERED.

Dated: August 1, 2017

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE