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4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF CALIFORNIA
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7 FRANK WELLS,
8 Plaintiff,
9 v.
10 ROSA GONZALES,
11 Defendant.
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Case No. 1:17-cv-01240-DAD-EPG (PC)
ORDER DENYING PLAINTIFF'S
MOTION FOR LEAVE TO AMEND,
WITHOUT PREJUDICE
(ECF NO. 28)

13 Frank Wells ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* in
14 this civil rights action.

15 Plaintiff filed the complaint commencing this action on September 15, 2017. (ECF No.
16 1). On September 26, 2018, Defendant filed her answer. (ECF No. 15). On February 6, 2019,
17 the Court held an initial scheduling conference. (ECF No. 22). On March 12, 2019, Plaintiff
18 lodged a first amended complaint. (ECF No. 25). The Court informed Plaintiff that, if he
19 wishes to file an amended complaint, he must file a motion for leave to amend the complaint,
20 along with a signed copy of the proposed amended complaint (Plaintiff failed to sign the lodged
21 copy of the proposed amended complaint). (ECF No. 26). The Court additionally noted that
22 the motion should explain why Plaintiff is now moving to amend his complaint, as well as the
23 changes he is attempting to make. (*Id.*).

24 On April 1, 2019, Plaintiff filed a motion to amend the complaint. (ECF No. 28).
25 While Plaintiff explains why he is now moving to amend his complaint, and provides at least
26 some information regarding the changes he is attempting to make, Plaintiff failed to attach a
27 signed copy of the proposed amended complaint to the motion.

28 Accordingly, IT IS ORDERED that Plaintiff's motion for leave to amend is DENIED,

1 without prejudice to Plaintiff refiling the motion with a signed copy of the proposed amended
2 complaint attached.

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4 IT IS SO ORDERED.

5 Dated: April 2, 2019

6 /s/ Eric P. Gray
7 UNITED STATES MAGISTRATE JUDGE
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