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7	UNITED STATES DISTRICT COURT	
8	EASTERN DISTRICT OF CALIFORNIA	
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10	GEORGE SHELDON JERCICH,	Case No. 1:18-cv-00032-LJO-EPG (PC)
11	Plaintiff,	GRANTING MOTION FOR LEAVE TO
12	v.	FILE A SECOND AMENDED COMPLAINT AND DENYING MOTION
13	CALIFORNIA DEPARTMENT OF CORRECTIONS AND	FOR LEAVE TO FILE A FIRST AMENDED COMPLAINT
14	REHABILITATION, et al.,	(ECF Nos. 19, 20)
15	Defendants.	(= 0 = 0 = 0 = 0 = 0 = 0 = 0 = 0 = 0 = 0
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17	George Sheldon Jercich ("Plaintiff") is proceeding <i>pro se</i> and <i>in forma pauperis</i> in this	
18	civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff commenced this action by the filing of a	
19	complaint on January 5, 2018. (ECF No. 1). On March 2, 2018, Plaintiff filed a Motion for Order	
20	to Grant Filing of First Amended Civil Rights Complaint. (ECF No. 19). On March 5, 2018,	
21	Plaintiff filed a Motion for Order to Grant Filing of Second Amended Civil Rights Complaint.	
22	(ECF No. 20). On March 6, 2018, Plaintiff lodged a Second Amended Civil Rights Complaint.	
23	(ECF No. 21).	
24	Federal Rule of Civil Procedure 15(a)(1) provides, "A party may amend its pleading once	
25	as a matter of course within: (A) 21 days after service of a responsive pleading or 21 days after	
26	service of a motion under Rule 12(b), (e), or (f), whichever is earlier." Federal Rule of Civil	
27	Procedure 15(a)(2) states that "[i]n all other cases, a party may amend its pleading only with the	
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opposing party's written consent or the court's leave. The court should freely give leave when justice so requires."

Plaintiff's motion to file his Second Amended Complaint, (ECF No. 20), is granted. A responsive pleading has not been served in this action, and Plaintiff has not previously filed an amended complaint. Thus, Plaintiff is able to file an amended complaint once as a matter of course. Accordingly, the Clerk of the Court is directed to file the proposed Second Amended Complaint, (ECF No. 21), which was lodged on March 6, 2018. Plaintiff's motion to file his First Amended Complaint, (ECF No. 19), is denied as moot.

IT IS SO ORDERED.

Dated: March 8, 2018

UNITED STATES MAGISTRATE JUDGE