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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KASEY F. HOFFMANN,

 Plaintiff,

 v.

L. PULIDO, et al,

 Defendants.

Case No. 1:18-cv-00078-LJO-BAM (PC)

ORDER DENYING PLAINTIFF’S MOTION
FOR LEAVE TO AMEND COMPLAINT

(Doc. 20)

Plaintiff Kasey F. Hoffmann is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. On June 12, 2018, the Court dismissed this action, without prejudice, for the failure to exhaust available administrative remedies. (Docs. 13, 14.) On June 20, 2018, Plaintiff filed a notice of appeal. (Doc. 15.)

On July 12, 2018, the Ninth Circuit Court of Appeals referred the matter back to this Court for the limited purpose of determining whether *in forma pauperis* status should continue for the appeal. 28 U.S.C. § 1915(a)(3). On July 17, 2018, this Court issued an order regarding that limited referral. (Doc. 19.)

Currently before the Court is Plaintiff’s motion for leave to amend the complaint, filed on July 20, 2018. (Doc. 20.) Plaintiff states that based on the referral by the Ninth Circuit Court of Appeals, he seeks leave to amend his complaint.

As noted above, the referral was for the limited purpose of determining Plaintiff’s *in forma pauperis* status on appeal, and has been addressed by this Court. Thus, the matter is no longer referred to this Court. Furthermore, this Court has otherwise been divested of jurisdiction

1 over this matter. *See Rodriguez v. County of Los Angeles*, 891 F.3d 776, 790 (9th Cir. 2018)
2 (“The filing of a notice of appeal is an event of jurisdictional significance—it confers jurisdiction
3 on the court of appeals and divests the district court of its control over those aspects of the case
4 involved in the appeal.”) (quoting *Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58
5 (1982)).

6 For these reasons, Plaintiff’s motion for leave to amend, filed on July 20, 2018 (Doc. 20)
7 is HEREBY DENIED.
8 IT IS SO ORDERED.

9 Dated: July 25, 2018

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

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