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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MUSTAFA ABDULLAH WRIGHT,
Plaintiff,
v.
C. McCABE, et al.,
Defendant.

1:18-cv-00505-JDP (PC)

ORDER DENYING AS MOOT MOTION TO
AMEND

(ECF No. 12)

Plaintiff filed the complaint initiating this case on April 13, 2018. (ECF No. 1.) On April 30, 2018, Plaintiff filed a motion requesting leave of Court to file an amended complaint. (ECF No. 12.) Plaintiff simultaneously filed his “First Amended Civil Rights Complaint.” (ECF No. 11.)

Federal Rule of Civil Procedure 15(a) provides that a “party may amend its pleading once as a matter of course within: (A) 21 days after serving it...” Fed. R. Civ. P. 15(a)(1)(A). Because Plaintiff filed the amended pleading within 21 days of the original complaint, leave of Court was not required under Rule 15(a)(2). Therefore, Plaintiff’s motion to amend (ECF No. 12) is DENIED as moot and Plaintiff’s First Amended Complaint (ECF No. 11) is now the operative complaint in this case.

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IT IS SO ORDERED.

Dated: May 8, 2018

Is/ Jeremy D. Peterson
UNITED STATES MAGISTRATE JUDGE