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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAM THOMAS COATS,

Petitioner,

No. 2:09-cv-1125 KJM KJN P

vs.

MIKE MCDONALD, Warden, et al.,

Respondents.

ORDER

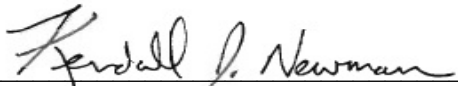
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Petitioner is a state prisoner proceeding without counsel. On April 5, 2011, the undersigned issued findings and recommendations recommending that petitioner’s application for habeas corpus be denied. On August 1, 2011, petitioner filed a first amended petition for writ of habeas corpus. Once an answer has been filed, a party may amend a pleading only by leave of court or by written consent of the adverse party. See Fed. R. Civ. P. 15(a). An answer was filed on October 20, 2009. Petitioner has filed neither a motion to amend nor a stipulation to amend the petition signed by all parties. Therefore, petitioner’s amended petition will be disregarded.

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1 Accordingly, IT IS HEREBY ORDERED that petitioner's August 1, 2011 first
2 amended petition (dkt. no. 26) is disregarded.

3 DATED: August 8, 2011

4 
5 KENDALL J. NEWMAN
6 UNITED STATES MAGISTRATE JUDGE

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