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

JAMES L. JEFFERSON

No. CIV S-10-0340-MCE CMK-P

Plaintiff,

vs.

ORDER

J.R. WEAVER, et al.,

Defendants.

_____ /

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court are two of Plaintiff’s motions relating to filing an amended complaint (Docs. 21, 22).

Plaintiff appears to be requesting the ability to file an amended complaint, based on the title of the motions. However, such a motion is unnecessary. Plaintiff has previously been provided the opportunity to file an amended complaint and has not taken advantage of such an opportunity. However, pursuant to Federal Rule of Civil Procedure 15(a)(1), a party may amend his pleading once as a matter of right at any time before being served with a responsive pleading. As no responsive pleading has been served, Plaintiff’s motion is unnecessary.

In addition, Plaintiff states he continues to have problems with the mail while incarcerated. The court notes that it is in receipt of Plaintiff’s service documents and other

