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

DAVID WESLEY BIRRELL,  
aka BELLA-CHRISTINA BIRRELL,

No. 2:10-CV-1707-GEB-CMK-P

Plaintiff,

vs.

ORDER

KEITH HARLAN KNAUF, 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: (1) plaintiff’s motion for leave to amend (Doc. 106); and (2) plaintiff’s motion for relief from final judgment (Doc. 111).

In her motion for leave to amend, plaintiff seeks to file an amended complaint naming another prison inmate as a defendant. For the reasons set forth in the court’s June 7, 2011, order denying a similar request, the current motion will also be denied.

Plaintiff’s motion for relief from final judgment will be denied because, to date, no final judgment has been entered in this action.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion for leave to amend (Doc. 106) is denied; and
2. Plaintiff's motion for relief from final judgment (Doc. 111) is denied.

DATED: February 7, 2014

  
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**CRAIG M. KELLISON**  
UNITED STATES MAGISTRATE JUDGE