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

JOSHUA LEWIS MASON,  
Plaintiff,

No. CIV S-11-1309-CMK-P

vs.

ORDER

MERCY MEDICAL CENTER, 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 is plaintiff’s motion for leave to amend (Doc. 12). 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. A review of the docket reflects that no responsive pleading has been served. Therefore, plaintiff’s motion is denied as unnecessary. Leave of court is not required to amend the complaint at this time.

A further review of the docket shows that plaintiff has not responded to the court’s August 22, 2011, order dismissing the original complaint and directing plaintiff to file an amended complaint. Plaintiff will be given further time to comply and is reminded that failure to comply may result in dismissal of the entire action. See Local Rule 110.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion for leave to amend (Doc. 12) is denied as unnecessary;
- and
2. Plaintiff shall file an amended complaint within 30 days of the date of this order.

DATED: September 29, 2011

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