

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

PHILLIP A. TODD,

Plaintiff, No. 2:12-cv-2429 GGH P

VS.

ZAMORA, et al.,

ORDER

Defendants.

Plaintiff is a state prisoner proceeding pro se and in forma pauperis. He seeks relief pursuant to 42 U.S.C. § 1983. This case is before the undersigned pursuant to plaintiff's consent. Doc. 4. Plaintiff's original complaint was dismissed with leave to amend on October 10, 2012. Plaintiff thereafter filed an unnecessary motion to amend and a purported first amended complaint, which is simply a reiteration of a request to amend the complaint.

As ordered before, the initial complaint was dismissed with leave to amend.

Plaintiff need not request further permission to amend. Plaintiff must still file an amended complaint within 28 days or else this case will be dismissed.

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In accordance with the above, IT IS HEREBY ORDERED that:

1. Plaintiff's motion to amend (Doc. 8) is denied as unnecessary;
2. Plaintiff must file an amended complaint within 28 days or the case will be

DATED: November 14, 2012

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

GGH: AB
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