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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	WILBUR ATCHERLEY,	No. 2:13-cv-0576 AC P
12	Plaintiff,	
13	v.	<u>ORDER</u>
14	J. HANNA, et al.,	
15	Defendants.	
16		
17	Plaintiff, a state prisoner proceeding pro se, filed his civil rights complaint brought under	
18	42 U.S.C. § 1983 on March 22, 2013. On August 2, 2013, defendants J. Hanna, N. Owens, High	
19	Desert State Prison and California Department of Corrections moved to dismiss the complaint,	
20	and on August 14, 2013, defendant Gricewich answered the complaint. On September 6, 2013,	
21	plaintiff filed a motion seeking leave to amend his complaint and an extension of time in which to	
22	file an amended complaint.	
23	A party may amend its pleading once as a matter of course within twenty one days after	
24	service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f),	
25	whichever is earlier. Fed. R. Civ. P. 15(a).	
26	Plaintiff states that on August 16, 2013, he submitted an amended complaint to the law	
27	library for copying so that he could file it with the court and serve defendants with copies	
28	pursuant to Fed. R. Civ. P. 15(a), but that on	August 19, 2013 his request for copies was denied
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1	and his amended	complaint returned to him. ECF No. 26 at 1. Plaintiff was advised that he could	
2	not make the required copies without demonstrating that he had leave of court to file an amended		
3	complaint. Id. Plaintiff's request for law library access was denied for the same reason. Id.		
4	Good cause appearing, plaintiff will be granted leave to amend is complaint. Plaintiff may file an		
5	amended complaint within thirty days of the date of this order.		
6	Plaintiff also seeks a court order allowing him increased law library access. There is no		
7	basis for such an order.		
8	In accordance with the above, IT IS ORDERED as follows:		
9	(1)	Plaintiff's motion for leave to amend the complaint (ECF No. 26) is granted to	
10		the extent that plaintiff is granted leave to file an amended complaint within	
11		thirty days of the date of this order. In all other respects, the motion is denied;	
12	(2)	The motion to dismiss filed by defendants Hanna, Owens, California	
13		Department of Corrections and Rehabilitation and High Desert State Prison	
14		(ECF No. 18) is vacated without prejudice to refiling in response to the	
15		amended complaint.	
16	DATED: Septen	allon Clane	
17		ALLISON CLAIRE	
18		UNITED STATES MAGISTRATE JUDGE	
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