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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	KRISTIN HARDY,	No. 2:13-cv-0726 JAM DB P
12	Plaintiff,	
13	V.	ORDER
14	C. DAVIS, et al.,	
15	Defendants.	
16		I
17	Plaintiff, a state prisoner proceeding pro se and in forma pauperis, has filed this civil	
18	rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to this court	
19	pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.	
20	Before this court is plaintiff's motion to amend the first amended complaint. (ECF No.	
21	81). Defendants have filed an opposition to plaintiff's motion, and plaintiff has filed a reply.	
22	(ECF Nos. 86, 88).	
23	Since the filing of plaintiff's motion to amend, discovery has closed, and dispositive	
24	motions have been filed and adjudicated. <sup>1</sup> (See, e.g., ECF Nos. 83, 84, 102). Furthermore,	
25	plaintiff has already amended the complaint once (see ECF No. 52), and the time-period within	
26	which to have requested leave to amend again had long passed at the time plaintiff filed the	
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28	<sup>1</sup> Indeed, the court's delay in addressing this motion appears to have been an oversight. $1$	

1	instant motion. See Fed. R. Civ. P 15(a)(1)(B) (stating need to amend within twenty-one days	
2	after service of responsive pleading).	
3	Accordingly, IT IS HEREBY ORDERED that plaintiff's motion to amend the first	
4	amended complaint (ECF No. 81) is DENIED as moot.	
5	Dated: October 8, 2019	
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7	Julian M	
8	UNITED STATES MAGISTRATE JUDGE	
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