

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEON JEROME MARTIN,  
Plaintiff,  
v.  
CITY OF VALLEJO, et al.,  
Defendants.

No. 2:14-cv-0554 DAD PS

## ORDER

This matter came before the court on May 22, 2015, for the hearing of plaintiff's motion for leave to file a second amended complaint. (Dkt. No. 55.) Attorney Kelly Trujillo appeared telephonically on behalf of the defendants and plaintiff Leon Jerome Martin appeared on his own behalf.

Upon consideration of the arguments on file and those made at the hearing, and for the reasons set forth on the record at that hearing, IT IS HEREBY ORDERED that:

1. Plaintiff's April 8, 2015 motion for leave to file a second amended complaint (Dkt. No. 55) is granted;

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2. The proposed second amended complaint filed April 8, 2015 (Dkt. No. 55-2) is deemed the operative complaint<sup>1</sup>; and

3. Defendants shall file an answer to the second amended complaint within fourteen days of the date of this order.

Dated: May 22, 2015

Dale A. Drozd  
DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> Although titled “Plaintiff’s First Amended Civil Rights Complaint,” (Dkt. No. 55-2) plaintiff’s proposed complaint is actually his second amended complaint. Plaintiff previously filed a first amended complaint in this action on April 25, 2014. (Dkt. No. 4.) Accordingly, the word “First” is hereby stricken from the title of the second amended complaint filed April 8, 2015 and the complaint will hereafter be referred to as the second amended complaint.