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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RONALD KENT,
Plaintiff,
v.
U.C. DAVIS MEDICAL CENTER, et al.,
Defendants.

No. 2:15-cv-1924 WBS AC P

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. Currently before the court are plaintiff’s motion for leave to file an amended complaint (ECF No. 21) and defendant U.C. Davis Medical Center’s motion to dismiss (ECF No. 24).

Prior to plaintiff filing his motion to amend, the court dismissed the original complaint with leave to amend. ECF No. 17. Since plaintiff had already been given leave to amend the complaint, it was unnecessary for him to request permission to file an amended complaint and the motion for leave will be denied as moot.

Pursuant to the Prison Litigation Reform Act, the court is required to screen complaints brought by prisoners seeking relief against a governmental entity or officer or employee of a governmental entity. 28 U.S.C. § 1915A(a). Plaintiff’s amended complaint has yet to be screened and the court has yet to order service on any defendant. Defendants’ motion to dismiss

1 is therefore premature and will be denied as such. The court will screen the amended complaint
2 in due course.

3 Accordingly, IT IS HEREBY ORDERED that:


4 1. Plaintiff's motion to amend (ECF No. 21) is denied as moot.

5 2. Defendant U.C. Davis Medical Center's motion to dismiss (ECF No. 24) is denied as
6 premature.

7 DATED: November 21, 2016.

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ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE

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