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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TYRONE JAMES,
Plaintiff,
v.
SUSAN COMIER,
Defendant.

No. 2:16-cv-1108 TLN CKD PS

ORDER

Plaintiff is proceeding in this action pro se and in forma pauperis. Plaintiff has filed a second amended complaint. Because plaintiff previously filed an amended complaint, plaintiff may not further amend the complaint absent leave of court or by stipulation of the parties. See Fed. R. Civ. P. 15(a). The second amended complaint will therefore be stricken.¹

Plaintiff has filed a motion to proceed in forma pauperis. Plaintiff was previously granted leave to proceed in forma pauperis. Plaintiff's motion will therefore be denied as moot.

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

1. The second amended complaint (ECF No. 6) is stricken.

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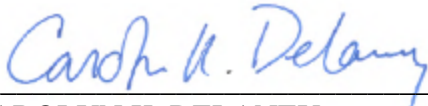
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¹ The court notes that the second amended complaint does not cure the jurisdictional deficiencies evident in the original and first amended complaints.

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2. Plaintiff's motion to proceed in forma pauperis (ECF No. 7) is denied as moot.

Dated: July 14, 2016



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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