

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

David B. Turner Jr., Plaintiff, v. County of San Diego, Defendant.
--

Case No.: 17-cv-0285-WQH-MDD
ORDER

On February 13, 2017, Plaintiff David B. Turner Jr. initiated this case by filing the Complaint (ECF No. 1). On October 12, 2017, the Court issued an Order dismissing the Complaint. (ECF No. 11). On January 17, 2018, Plaintiff filed an Amended Complaint (ECF No. 13).

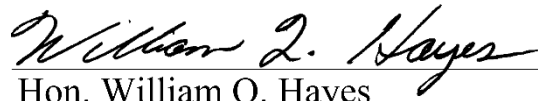
Under Federal Rule of Civil Procedure 15,

- (1) A party may amend its pleading once as a matter of course within:
 - (A) 21 days after serving it, or
 - (B) if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier.
- (2) In all other cases, a party may amend its pleading only with the opposing party's written consent or the court's leave.

1 The record reflects that the Amended Complaint (ECF No. 13) was not filed within
2 21 days after service of the original Complaint (ECF No. 1), a responsive pleading,
3 or a motion under Rule 12(b), (e), or (f). The record also reflects that the Court has
4 not granted Plaintiff leave to file an amended complaint.

5 The Amended Complaint is **HEREBY STRICKEN** from the record. If
6 Plaintiff wishes to file an amended complaint in the future, he must first file a Motion
7 to Amend. *See* CivLR 15.1(b).

8 Dated: January 22, 2018


9 Hon. William Q. Hayes
10 United States District Court
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28