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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**

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11 ROBERT TAYLOR,

12 Plaintiff,

13 v.

14 PARAMO, et al.,

15 Defendants.

Case No.: 18cv942-MMA (BLM)

**ORDER DENYING AS MOOT  
PLAINTIFF'S MOTION TO AMEND  
COMPLAINT**

[Doc. No. 7]

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17 Plaintiff Robert Taylor, a California inmate proceeding *pro se*, brings this civil  
18 rights action against various prison officials at R. J. Donovan Correctional Facility in San  
19 Diego, California, alleging violation of his Eighth Amendment right to be free from the  
20 excessive use of force. *See* Doc. No. 1. The Court screened Plaintiff's complaint  
21 pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A, and found it suitable for service upon  
22 the named defendants. *See* Doc. No. 4. Plaintiff now moves for leave to amend his  
23 complaint. *See* Doc. No. 7.

24 Federal Rule of Civil Procedure 15(a) provides that "a party may amend its  
25 pleading once as a matter of course within 21 days after serving it." Fed. R. Civ. P.  
26 15(a)(1). To date, the record reflects that none of the named defendants to this action  
27 have been served. Therefore, in this instance, Plaintiff may file an amended complaint  
28 without leave of court.

