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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GEORGE A. TOLIVER,
Plaintiff,
vs.
LVMPD, et al.,
Defendant.


Case No. 2:14-cv-00906-RFB-GWF
ORDER

This matter is before the Court on Plaintiff's Motion to Have the District Court Clerk File Stamp or Signature Complaint and Summons (ECF No. 59), filed on December 29, 2016.

On November 21, 2016, Plaintiff filed an amended complaint (ECF No. 57). Plaintiff requests that the Clerk of the Court file stamp the amended complaint and summons to facilitate service. Pursuant to Fed. R. Civ. P. 15, a party may amend its pleading once as a matter of course within 21 days after serving it, or if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading. Fed. R. Civ. P. 15(a)(1). In all other cases, a party may amend its pleading only with the opposing party's written consent or the court's leave. Fed. R. Civ. P. 15(a)(2). The Court therefore denies Plaintiff's Motion without prejudice to him filing a motion to amend his complaint pursuant to Fed. R. Civ. P. 15. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Have the District Court Clerk File Stamp or Signature Complaint and Summons (ECF No. 59) is **denied** without prejudice to filing a motion to amend complaint.

DATED this 5th day of January, 2017.



GEORGE FOLEY, JR.
United States Magistrate Judge