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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 WILLIE C DAVIS,

10 Plaintiff,

11 v.

12 WASHINGTON STATE DEPARTMENT OF
CORRECTIONS, et al.,

13 Defendants.

CASE NO. 3:16-CV-05146-RBL-JRC

ORDER ON MOTION TO AMEND

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15 Plaintiff, proceeding *in forma pauperis*, filed this civil rights complaint pursuant to 42
16 U.S.C. § 1983. Presently before the Court are two motions to amend filed by plaintiff. Dkt. 31
17 (“first motion to amend”), Dkt. 32 (“second motion to amend”). The two motions are identical.
18 Defendants have not filed an opposition to either motion. The Court grants plaintiff’s first
19 motion to amend (Dkt. 31), and denies the second motion to amend (Dkt. 32) as duplicative.

20 DISCUSSION

21 Under Rule 15(a) of the Federal Rules of Civil Procedure,

22 (1) *Amending as a Matter of Course*

23 A party may amend its pleading once as a matter of course within:

24 (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

1 service of a motion under Rule 12(b), (e), or (f), whichever is
2 earlier.

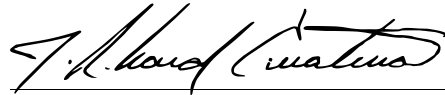
3 **(2) Other Amendments**

4 In all other cases, a party may amend its pleading only with the
5 opposing party's written consent or the court's leave. The court
6 should freely give leave when justice so requires

7 Having reviewed plaintiff's first motion to amend, with no opposition from defendants,
8 the Court grants the first motion to amend (Dkt. 31). The Court denies plaintiff's second motion
9 to amend (Dkt. 32) as duplicative.

10 The Clerk is directed to docket plaintiff's proposed second amended complaint (Dkt. 31-
11 2) as the second amended complaint.

12 Dated this 10th day of March, 2017.

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14 J. Richard Creatura
15 United States Magistrate Judge
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