IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DeWAYNE THOMPSON, Plaintiff, v. C. INGWERSON, et al., Defendants.	No. 2:25-CV-0167-WBS-DMC-P ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court is Plaintiff's motion for leave to file a supplemental/ amended complaint. See ECF No. 5.

The Federal Rules of Civil Procedure provide that a party may amend his or her pleading once as a matter of course within 21 days of serving the pleading or, if the pleading is one to which a responsive pleading is required, within 21 days after service of the responsive pleading, see Fed. R. Civ. P. 15(a)(1)(A), or within 21 days after service of a motion under Rule 12(b), (e), or (f) of the rules, whichever time is earlier, see Fed. R. Civ. P. 15(a)(1)(B). In all other situations, a party's pleadings may only be amended upon leave of court or stipulation of all the parties. See Fed. R. Civ. P. 15(a)(2).

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Here, no responsive pleading has been filed. Therefore, leave of Court is not necessary and this action now proceeds on Plaintiff's first amended complaint filed on April 14, 2025, the sufficiency of which will be addressed separately.

Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion for leave to file a supplemental/amended complaint, ECF No. 5, is denied as unnecessary.

Dated: August 8, 2025

DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE