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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY A. DeWITT,  
Plaintiff,

No. C 15-05261 WHA

v.

CALIFORNIA CITIZENS  
REDISTRICTING COMMISSION, a  
California agency, ALEX PADILLA,  
Secretary of the State of California, and  
DOES 1 through 100,  
Defendants.

**ORDER GRANTING  
LEAVE TO FILE AN  
AMENDED COMPLAINT**

An order *sua sponte* dismissed all of plaintiff's claims and allowed him to seek leave to amend only his sixth claim for vote dilution. Plaintiff filed a motion for leave to amend, but his proposed amended complaint included all of the claims that had been dismissed without leave to amend along with amendments to the sixth claim. Accordingly, plaintiff's motion was denied. Plaintiff has filed a new motion for leave to file an amended complaint that omits the claims that had been dismissed without leave and omits the defendants named in those claims. Plaintiff's motion for leave to file an amended complaint is hereby **GRANTED**. Plaintiff may serve the remaining defendants. This is without prejudice to a Rule 12 motion filed by the defendants.

The Court will not rule on plaintiff's motion to appoint a three-judge panel until, if ever, the defendants have been properly served and have had an opportunity to respond to the motion.

**IT IS SO ORDERED.**

Dated: March 14, 2016.

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY A. DEWITT,  
Plaintiff,  
v.  
PAUL RYAN, et al.,  
Defendants.

Case No. [3:15-cv-05261-WHA](#)

**CERTIFICATE OF SERVICE**

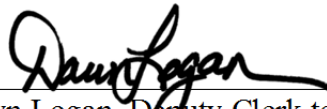
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 3/16/2016, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Timothy A. DeWitt  
2729 Dwight Way No 402  
Berkeley, CA 94704

Dated: 3/16/2016

Susan Y. Soong  
Clerk, United States District Court

By:   
Dawn Logan, Deputy Clerk to the  
Honorable WILLIAM ALSUP

United States District Court  
Northern District of California