

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

JOHN EAKIN  
Plaintiff,

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CASE NUMBER: SA-12-CA-1002-FB (HJB)

AMERICAN BATTLE MONUMENTS  
COMMISSION, et al.  
  
Defendants

**MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT FOR DAMAGES,  
DECLARATORY JUDGMENT AND INJUNCTIVE RELIEF**

COME NOW, Plaintiff John Eakin and moves for leave to file his first amended complaint as recommended to the Court by the Report and Recommendation of United States Magistrate Judge. (CM/ECF Document 30)

The proposed First Amended Complaint for Damages, Declaratory Judgment and Injunctive Relief is attached.

Respectfully submitted,

/s/ John Eakin  
**John Eakin**, Plaintiff pro se  
9865 Tower View, Helotes, TX 78023  
Telephone: 210-695-2204  
Email: jeakin@airsafety.com

**CERTIFICATE OF SERVICE**

I hereby certify that on the 26th day of June, 2013, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Susan Strawn, Assistant United States Attorney  
601 NW Loop 410, Ste 600  
San Antonio, TX 78216  
Sstrawn@usa.doj.gov

/s/ John Eakin  
**John Eakin**, Plaintiff pro se

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
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**ORDER**

On this day, came on for consideration Plaintiff’s Motion for Leave to file First Amended Complaint for Damages, Declaratory Judgment and Injunctive Relief. The Court having reviewed said Motion, hereby GRANTS the motion and ORDERS that Exhibit 1 shall be filed.

IT IS SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
FRED BIERY  
CHIEF UNITED STATES DISTRICT JUDGE