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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Howard George Ireland,

10 Plaintiff,

11 v.

12 Paul Penzone, et al.,

13 Defendants.
14

No. CV-20-00650-PHX-SRB (ESW)

ORDER

15 In its August 5, 2020 Order (Doc. 11), the Court denied Plaintiff's request for
16 leave to file a First Amended Complaint as the proposed pleading improperly
17 incorporated by reference the two counts presented in his original Complaint. Plaintiff
18 renewed his request (Doc. 13), which the Court denied as Plaintiff again improperly
19 incorporated by reference portions of his original Complaint into his proposed First
20 Amended Complaint. (Doc. 16).

21 Pending before the Court is Plaintiff's "Motion for Leave to Add and Drop Parties
22 by Amended Pleading Filed Before Responsive Pleading is Served" (Doc. 19). As
23 Defendant Penzone observes (Doc. 21 at 2), Plaintiff has again failed to comply with
24 Local Rule of Civil Procedure 15.1 as the proposed First Amended Complaint omits
25 Count I. To reiterate, "[a]ll causes of action alleged in an original complaint which are
26 not alleged in an amended complaint are waived." *King v. Atiyeh*, 814 F.2d 565, 567 (9th
27 Cir. 1987), overruled on other grounds by *Lacey v. Maricopa County*, 693 F.3d 896 (9th
28 Cir. 2012). "Pro se litigants must follow the same rules of procedure that govern other

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litigants.” Id.

IT IS ORDERED denying Plaintiff’s “Motion for Leave to Add and Drop Parties by Amended Pleading Filed Before Responsive Pleading is Served” (Doc. 19).

Dated this 17th day of November, 2020.



Honorable Eileen S. Willett
United States Magistrate Judge