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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Stanley R. Waff,
Plaintiff,
vs.
Navajo County, et al.,
Defendants.

No. CV 10-8027-PHX-MHM

ORDER

Pending before the Court is Plaintiff Stanley R. Waff's Amended Complaint. On February 24, 2010, this Court issued an Order that denied denying as moot Plaintiff's Motion to Grant to Present Evidence, denied as moot Plaintiff's Motion to Proceed in Forma Pauperis, dismissed Plaintiff's complaint for failure to comply with Federal Rule of Civil Procedure 8(a), and Ordered that Plaintiff could file an Amended Complaint in compliance with Rule 8(a) within 30 days. (See Dkt.#11). In the same Order, the Court noted that if an Amended Complaint was not filed, the case would be dismissed without further notice to Mr. Waff.

On March 24, 2010, Plaintiff Waff filed an Amended Complaint. Unfortunately, Plaintiff's Amended Complaint suffers from the same flaws that rendered his initial Complaint non-actionable. Like his initial Complaint, Plaintiff's Amended Complaint is both factually and legally incomprehensible. After carefully evaluating Plaintiff's pro se filing,

1 the Court still cannot determine the nature of the lawsuit .The Court will therefore dismiss
2 Plaintiff's Amended Complaint and this action. Leave to amend need not be given if a
3 complaint as amended is subject to dismissal. Moore v. Kayport Package Exp., Inc., 885
4 F.2d 531, 538 (9th Cir. 1989). The Court's discretion to deny or grant leave to amend is
5 particularly broad where Plaintiff has previously been permitted to amend his complaint. See
6 Sisseton-Wahpeton Sioux Tribe v. United States, 90 F.3d 351, 355 (9th Cir. 1996). Failure
7 to cure deficiencies by previous amendments is one of the factors to be considered in
8 deciding whether justice requires granting leave to amend. Moore, 885 F.2d at 538.

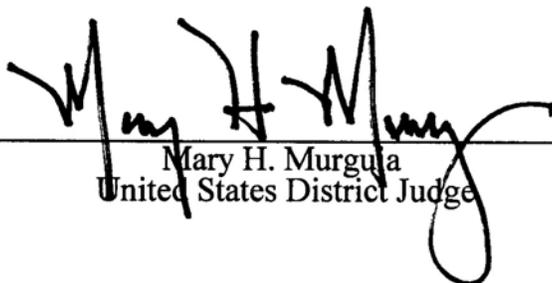
9 **Accordingly,**

10 **IT IS ORDERED** dismissing Plaintiff's Amended Complaint for failure to comply
11 with Federal Rule of Civil Procedure 8(a). (Doc. #16).

12 **IT IS FURTHER ORDERED** directing the Clerk of the Court to enter judgment
13 accordingly.

14 DATED this 29th day of March, 2010.

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Mary H. Murgula
United States District Judge