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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FRANK HAFER,

Plaintiff,

v.

S. TAUNTON, et al.,

Defendants.

CASE NO. 1:06-CV-00304-OWW-LJO-P

ORDER STRIKING PLAINTIFF’S MOTION FOR APPOINTMENT OF COUNSEL AS DUPLICATIVE OF PREVIOUSLY FILED MOTION (Doc. 11)

ORDER DENYING PLAINTIFF’S MOTION FOR LEAVE TO AMEND, DENYING PLAINTIFF’S MOTIONS SEEKING LEAVE TO FILE EXHIBITS IN SUPPORT OF COMPLAINT, AND STRIKING EXHIBITS ATTACHED TO MOTIONS (Docs. 13, 14, 15, and 16)

_____ /

Plaintiff Frank Hafer (“plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On March 20, 2006, plaintiff filed a motion seeking the appointment of counsel. On April 3, 2006, plaintiff filed a second motion seeking the appointment of counsel. Plaintiff’s April 3 motion shall be stricken from the record on the ground that it is duplicative of a previously filed motion for relief. When plaintiff files a motion, he must wait for the court’s ruling and should not file any further motions seeking the same relief as that sought in a pending motion.

In addition to seeking the appointment of counsel, on April 3, 2006, plaintiff filed a motion seeking leave to amend to add a party and exhibits, and three separate motions seeking leave to amend to add exhibits to complaint. For the reasons set forth in the court’s order filed on April 4, 2006, plaintiff’s motion seeking leave to amend to add a party is unnecessary. Further, plaintiff may

1 not add claims or parties piecemeal. If plaintiff wishes to amend, he must submit an amended
2 complaint that is complete within itself without reference to the original complaint.

3 With respect to exhibits, plaintiff may not submit exhibits to the court piecemeal and request
4 that they be included with his complaint. Plaintiff is not required to submit exhibits in support of
5 his complaint. However, if plaintiff chooses to do so, any exhibits submitted in support of the
6 complaint must be attached and must be incorporated by reference. Fed. R. Civ. P. 10(c). There
7 shall be no exceptions. Accordingly, plaintiff's motions for leave to amend shall be denied and the
8 exhibits attached thereto shall be stricken from the record.

9 Based on the foregoing, it is HEREBY ORDERED that:

- 10 1. Plaintiff's motion for the appointment of counsel, filed April 3, 2006, is STRICKEN
11 as duplicative; and
- 12 2. Plaintiff's motions seeking leave to amend, filed April 3, 2006, are DENIED and the
13 exhibits attached thereto are STRICKEN.

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15 IT IS SO ORDERED.

16 **Dated:** April 10, 2006
17 b9ed48

18 /s/ Lawrence J. O'Neill
19 UNITED STATES MAGISTRATE JUDGE
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