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

SAAHDO COLEMAN,

Plaintiff,

vs.

1: 06 CV 0836 AWI WMW PC

ORDER RE MOTION (DOC 11)

DERRAL ADAMS, et al.,

Defendants.

Plaintiff has filed a motion titled as a proposed change in support of amended complaint. Plaintiff seeks to make changes to the April 14, 2008, first amended complaint.

Plaintiff is advised that the court cannot refer to a prior pleading in order to make plaintiff's amended complaint complete. Local Rule 15-220 requires that an amended complaint be complete in itself without reference to any prior pleading. This is because, as a general rule, an amended complaint supersedes the original complaint. See Loux v. Rhay, 375 F.2d 55, 57 (9th Cir. 1967). Once plaintiff files an amended complaint, the original pleading no longer serves any function in the case. Therefore, in an amended complaint, as in an original complaint, each claim and the involvement of each defendant must be sufficiently alleged.

The court will grant Plaintiff leave to file a second amended complaint that includes all of his claims and allegations. Accordingly, IT IS HEREBY ORDERED that:

1 1. Plaintiff's motion, construed as a motion for leave to amend the complaint, is granted.

2 2. Plaintiff is granted thirty days from the date of service of this order in which to file a
3 second amended complaint that complies with the requirements of the Civil Rights Act, the
4 Federal Rules of Civil Procedure, and the Local Rules of Practice; the amended complaint must
5 bear the docket number assigned this case and must be labeled "Second Amended Complaint."

6 IT IS SO ORDERED.

7 **Dated:** February 5, 2009

/s/ William M. Wunderlich
UNITED STATES MAGISTRATE JUDGE

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