



1 Plaintiff is informed he must demonstrate in his amended complaint how the conditions  
2 complained of have resulted in a deprivation of plaintiff's constitutional rights. See Ellis v. Cassidy, 625  
3 F.2d 227 (9th Cir. 1980). The complaint must allege in specific terms how each named defendant is  
4 involved. There can be no liability under 42 U.S.C. § 1983 unless there is some affirmative link or  
5 connection between a defendant's actions and the claimed deprivation. Rizzo v. Goode, 423 U.S. 362  
6 (1976); May v. Enomoto, 633 F.2d 164, 167 (9th Cir. 1980); Johnson v. Duffy, 588 F.2d 740, 743 (9th  
7 Cir. 1978).

8 Plaintiff should note that although he has the opportunity to amend, it is not for the purpose of  
9 adding new defendants relating to issues arising after January 14, 2008. In addition, plaintiff should take  
10 care to include only those claims that have been exhausted prior to the initiation of this suit on January  
11 14, 2008.

12 Finally, plaintiff is advised that Local Rule 15-220 requires that an amended complaint be  
13 complete in itself without reference to any prior pleading. As a general rule, an amended complaint  
14 supersedes the original complaint. See Loux v. Rhay, 375 F.2d 55, 57 (9th Cir. 1967). Once an  
15 amended complaint is filed, the original complaint no longer serves any function in the case. Therefore,  
16 in an amended complaint, as in an original complaint, each claim and the involvement of each defendant  
17 must be sufficiently alleged. The First Amended Complaint should be clearly and boldly titled "FIRST  
18 AMENDED COMPLAINT," refer to the appropriate case number, and be an original signed under  
19 penalty of perjury.

20 Accordingly, it is HEREBY ORDERED that:

- 21 1. Plaintiff's is informed that he has leave to amend the complaint once as a matter of  
22 course;
- 23 2. Within thirty (30) days from the date of service of this order, plaintiff shall file a First  
24 Amended Complaint using the court's form;
- 25 3. The First Amended Complaint should be clearly and boldly titled "FIRST AMENDED  
26 COMPLAINT," refer to case number 1:08-cv-00063-AWI-SMS-PC, and be an original  
27 signed under penalty of perjury;

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- 4. The Clerk of the Court shall send one civil rights complaint form to plaintiff; and
- 5. Plaintiff is warned that the failure to comply with this order will result in a recommendation that this action be dismissed for failure to obey a court order.

IT IS SO ORDERED.

**Dated: February 12, 2009**

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE