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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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| GEMMEL DIXON,     | 1:09-cv-00172-OWW-DLB PC  |
| Plaintiff,        | ORDER GRANTING MOTION TO AMEND COMPLAINT                        |
| v.                | (DOC. 19)   |
| GONZALES, et al., | ORDER DIRECTING CLERK OF COURT TO FILE SECOND AMENDED COMPLAINT |
| Defendants.       |   |

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Plaintiff Gemmel Dixon ("Plaintiff") is a prisoner in the custody of the California Department of Corrections and Rehabilitation ("CDCR"). Plaintiff is proceeding pro se and in forma pauperis in this civil rights action. On December 24, 2009, Plaintiff filed a motion seeking to amend his complaint. (Doc. 19.)

A party may amend his pleadings once as a matter of course. Fed. R. Civ. P. 15(a). Plaintiff is reminded that an amended complaint supersedes a previous complaint, *Forsyth v. Humana, Inc.*, 114 F.3d 1467, 1474 (9th Cir. 1997); *King v. Atiyeh*, 814 F.2d 565, 567 (9th Cir. 1987). The amended complaint must be "complete in itself without reference to the prior or superceded pleading." Local Rule 220. Plaintiff is warned that "[a]ll causes of action alleged in an original complaint which are not alleged in an amended complaint are waived." *King*, 814 F.2d at 567 (citing to *London v. Coopers & Lybrand*, 644 F.2d 811, 814

1 (9th Cir. 1981)); accord *Forsyth*, 114 F.3d at 1474.

2 Accordingly, it is HEREBY ORDERED that Plaintiff's motion to  
3 amend his complaint is GRANTED. The Clerk of the Court is  
4 directed to file Plaintiff's second amended complaint.

5 IT IS SO ORDERED.

6 **Dated: June 21, 2010**

/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE

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