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6 **UNITED STATES DISTRICT COURT**
78 EASTERN DISTRICT OF CALIFORNIA
910 COREY L. BELL, CASE NO. 1:10-cv-00714-AWI-GBC PC
11 v. Plaintiff, ORDER DENYING PLAINTIFF'S MOTION
12 K. HARRINGTON, (Doc. 8) FOR LEAVE TO AMEND AS
13 Defendant. UNNECESSARY14

15 Plaintiff Corey L. Bell ("Plaintiff") is a state prisoner proceeding pro se and in forma
16 pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. The complaint was filed on April
17 23, 2010, and Plaintiff filed a motion for leave to amend on July 26, 2010. (Docs. 1, 8.)18 Under Rule 15(a) of the Federal Rules of Civil Procedure, a party may amend the party's
19 pleading once as a matter of course at any time before a responsive pleading is served. Otherwise,
20 a party may amend only by leave of the court or by written consent of the adverse party, and leave
21 shall be freely given when justice so requires. Fed. R. Civ. P. 15(a). In this case, a responsive
22 pleading has not been served and Plaintiff has not previously amended his complaint. Therefore,
23 Plaintiff may file an amended complaint without leave of the Court.24 In addition, Plaintiff is advised that his amended complaint should be brief, Fed. R. Civ. P.
25 8(a), but must state what each named defendant did that led to the deprivation of Plaintiff's
26 constitutional or other federal rights, Ashcroft v. Iqbal, 129 S. Ct. 1937, 1948-49 (2009) . "The
27 inquiry into causation must be individualized and focus on the duties and responsibilities of each
28 individual defendant whose acts or omissions are alleged to have caused a constitutional

1 deprivation.” Leer v. Murphy, 844 F.2d 628, 633 (9th Cir. 1988). Although accepted as true, the
2 “[f]actual allegations must be [sufficient] to raise a right to relief above the speculative level”
3 Bell Atlantic Corp. v. Twombly, 550 U.S. 554, 555 (2007) (citations omitted). Finally, an amended
4 complaint supercedes the original complaint, Forsyth v. Humana, Inc., 114 F.3d 1467, 1474 (9th Cir.
5 1997); King v. Atiyeh, 814 F.2d 565, 567 (9th Cir. 1987), and must be “complete in itself without
6 reference to the prior or superceded pleading,” Local Rule 220.

7 Accordingly, it is HEREBY ORDERED that Plaintiff’s motion for leave to amend be
8 DENIED as unnecessary.

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10 IT IS SO ORDERED.

11 Dated: December 30, 2010

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13 UNITED STATES MAGISTRATE JUDGE

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