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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

AARON JAMES PIERCE,

Plaintiff,

v.

DR. E. FLORES, et al.,

Defendants.

CASE NO. 1:10-cv-01508-SKO PC

ORDER DENYING PLAINTIFF’S MOTIONS
TO AMEND AS MOOT

(Docs. 6, 18, and 19)

ORDER STRIKING DUPLICATIVE MOTION
TO AMEND

(Doc. 14)

Plaintiff Aaron James Pierce, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on August 20, 2010. On September 20, 2010, Plaintiff filed a motion seeking leave to amend to add C. Hammond and D. Foston as defendants; on October 20, 2010, Plaintiff filed a second motion seeking the same relief. On February 17, 2011, Plaintiff filed a motion seeking to add new claims against prison officials at the California Correctional Institution (CCI) for denial of medical care and denial of access to the courts, and on March 15, 2011, Plaintiff filed an additional motion seeking to add additional parties and claims.

In a separate order issued concurrently with this order, the Court screened Plaintiff’s complaint and dismissed it, with leave to amend, for failure to state a claim. Therefore, Plaintiff’s motions to amend are moot and shall be denied on that ground. The duplicative motion shall be stricken from the record.

In light of the fact that Plaintiff seeks to add unrelated claims and parties, Plaintiff is notified that “[u]nrelated claims against different defendants belong in different suits, not only to prevent the

1 sort of morass [a multiple claim, multiple defendant] suit produce[s], but also to ensure that prisoners
2 pay the required filing fees-for the Prison Litigation Reform Act limits to 3 the number of frivolous
3 suits or appeals that any prisoner may file without prepayment of the required fees. 28 U.S.C. §
4 1915(g).” George v. Smith, 507 F.3d 605, 607 (7th Cir. 2007); Fed. R. Civ. P. 18. This action was
5 initiated on a complaint raising a claim for denial of medical care while Plaintiff was at North Kern
6 State Prison. Plaintiff will not be permitted to proceed with a “mishmash of a complaint,” George,
7 507 F.3d at 607, and he is cautioned that if his amended complaint fails to comply with Rule 18(a),
8 the Court will dismiss the unrelated claims, such as those which are based on events at CCI. New
9 claims which accrued at a different prison after this action was initiated must be both exhausted and
10 raised in a separate action. 42 U.S.C. § 1997e(a); Fed. R. Civ. P. 18.

11 Accordingly, it is HEREBY ORDERED that Plaintiff’s motions to amend are DENIED as
12 moot in light of the screening order dismissing Plaintiff’s complaint with leave to amend, and
13 Plaintiff’s duplicative motion to amend, filed October 20, 2010, is STRICKEN.

14
15 IT IS SO ORDERED.

16 **Dated:** April 14, 2011

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE