

1 complaint sets forth unrelated claims which violate joinder rules, the Court will dismiss the claims it
2 finds to be improperly joined.” (ECF No. 23 at 3:20-22.)

3 On June 14, 2013, Plaintiff filed a second amended complaint. On September 11, 2013, the
4 undersigned struck the second amended complaint for failure to comply with the Court’s May 10,
5 2013, order. Specifically, the second amended complaint failed to comply with Federal Rules of Civil
6 Procedure 18 and 20, because it named thirty three defendants and alleged claims for unrelated events
7 that occurred from January 3, 2009 through November 2, 2010, at two different correctional
8 institutions. In that order, Plaintiff was specifically warned “that continued failure to take meaningful
9 steps to obey the Court’s orders may result in this action being dismissed for failure to obey a court.”
10 (ECF No. 27, 3:13-15.) Plaintiff was granted one final opportunity to file a second complaint that
11 complied with the Court’s May 10, 2013, order.

12 On November 14, 2013, Plaintiff filed a second amended complaint. Despite having been
13 previously warned on two different occasions, Plaintiff’s second amended complaint again fails to
14 comply with Rules 18 and 20 of the Federal Rules of Civil Procedure. Plaintiff’s second amended
15 complaint names twenty six different defendants and continues to allege claims for unrelated events
16 that occurred over a period of one year at two different correctional institutions. Because Plaintiff has
17 failed to comply with the Court’s previous orders by perfecting his complaint to comply with Rules 18
18 and 20 of the Federal Rules of Civil Procedure, dismissal of the action is warranted. See Nevijel v.
19 North Coast Life Ins. Co., 651 F.2d 671, 674 (9th Cir. 1981) (court may dismiss complaint for failure
20 to comply with Federal Rules of Civil Procedure.) Further, his dismissal is subject to the three-strikes
21 provision set forth in 28 U.S.C. § 1915(g). See Knapp v. Hogan, No. 11-17512, 2013 WL 6801005 *3
22 (9th Cir. Dec. 26, 2013) (held “dismissals following the repeated violation of Rule 8(a)’s ‘short and
23 plain statement’ requirement following leave to amend, are dismissals for failure to state a claim under
24 § 1915(g).”)

25 Based on the foregoing, IT IS HEREBY ORDERED that:

- 26 1. The instant action is dismissed for failure to comply with Rules 18 and 20 of the
27 Federal Rules of Civil Procedure;

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- 2. The Clerk of Court is directed to enter judgment; and
- 3. This dismissal is subject to the three-strikes provision set forth in 28 U.S.C. § 1915(g).

IT IS SO ORDERED.

Dated: January 7, 2014


UNITED STATES MAGISTRATE JUDGE