



1 increase the requested punitive damages. (ECF No. 46.) The additional damages are  
2 based on the same conduct addressed in the first motion to amend. (Id.) “While leave  
3 to permit supplemental pleading is favored, it cannot be used to introduce a separate,  
4 distinct and new cause of action.” Planned Parenthood of Southern Arizona v. Neely,  
5 130 F.3d 400, 402 (9th Cir. 1997) (internal quotation marks and citation omitted). The  
6 Court has already determined that the allegedly wrongful declaration has no relation to  
7 Plaintiff’s Eighth Amendment claim. Damages based thereon similarly fail to relate to  
8 those claims. Plaintiff may not seek relief in this action based on events unrelated to  
9 those underlying this case.

10 Accordingly, Plaintiff’s motion to amend the First Amended Complaint (ECF No.  
11 46), filed on February 14, 2014, is DENIED.

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13 IT IS SO ORDERED.

14 Dated: September 25, 2014

/s/ Michael J. Seng  
15 UNITED STATES MAGISTRATE JUDGE  
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