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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DURRELL A. PUCKETT,
Plaintiff,
v.
R. ZAMORA, et al.,
Defendants.

Case No. 1:12-cv-00948-DLB PC

**ORDER GRANTING PLAINTIFF’S
MOTION TO AMEND COMPLAINT**

ECF No. 11

**AMENDED COMPLAINT DUE WITHIN
THIRTY DAYS**

Plaintiff Durrell A. Puckett (“Plaintiff”) is a California state prisoner proceeding pro se and in forma pauperis in this civil action filed pursuant to 42 U.S.C. § 1983. On March 13, 2013, the Court screened Plaintiff’s complaint pursuant to 28 U.S.C. § 1915(e)(2)(B) and § 1915A(a) and finds that it states a cognizable claim for relief under 42 U.S.C. § 1983 against Defendants Zamora, Rodriguez, Acevedo, and Brown for excessive force and against Defendants Casas, Contreras, Galindo, Rodriguez, Marmolejo, and Nave for failing to intervene to protect Plaintiff’s safety in violation of the Eighth Amendment. Plaintiff was provided documents with regards to service for completion and return. Pending before the Court is Plaintiff’s motion to add additional defendants or amend his complaint, filed March 27, 2013. ECF No. 11.

Parties may amend their pleadings once as a matter of course. Fed. R. Civ. P. 15(a). However, under Local Rule 220, “every pleading to which an amendment or supplement is permitted as a matter of right or has been allowed by court order shall be retyped and filed so that it is complete in itself without reference to the prior or superseded pleading. No pleading shall be deemed

1 amended or supplemented until this Rule has been complied with.” Plaintiff will thus be granted the
2 opportunity to file an amended complaint that is complete in itself without reference to the prior
3 complaint.

4 Plaintiff’s amended complaint should be brief, Fed. R. Civ. P. 8(a), but must state what each
5 named defendant did that led to the deprivation of Plaintiff’s constitutional or other federal rights.
6 See *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). Although accepted as true, the “[f]actual
7 allegations must be [sufficient] to raise a right to relief above the speculative level” *Bell Atl.*
8 *Corp. v. Twombly*, 550 U.S. 544, 555 (2007).

9 Finally, Plaintiff is advised that an amended complaint supersedes the original complaint,
10 *Forsyth v. Humana, Inc.*, 114 F.3d 1467, 1474 (9th Cir. 1997) overruled in part on other grounds,
11 *Lacey v. Maricopa County*, 693 F.3d 896, 928 (9th Cir. Aug. 29, 2012) (en banc); *King v. Atiyeh*,
12 814 F.2d 565, 567 (9th Cir. 1987).

13 Based on the foregoing, it is HEREBY ORDERED that Plaintiff’s motion, filed March 27,
14 2013, is granted. Plaintiff is granted thirty (30) days from the date of service of this order by which
15 to file his amended complaint.

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18 IT IS SO ORDERED.

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20 Dated: March 28, 2013

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE