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5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**
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8 DANIEL TREBAS,
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10 Plaintiff
11 v.
12 COUNTY OF FRESNO, et al.,
13 Defendants.

CASE No. 1:12-cv-00978-SAB (PC)
ORDER STRIKING PLAINTIFF'S
ADDENDUM TO SECOND AMENDED
COMPALINT
(ECF No. 14)

14 Plaintiff Daniel Trebas ("Plaintiff") is a state prisoner proceeding pro se and in forma
15 pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. This action was filed on June
16 18, 2012. (ECF No. 1.) On August 19, 2013, Plaintiff filed an addendum to his second amended
17 complaint. (ECF No. 14.)

18 It is clear from Plaintiff's filing that he intends only to supplement his second amended
19 complaint rather than to file. Complaints must be complete in themselves and therefore the Court
20 will not permit addendums. Plaintiff is advised that an amended complaint supersedes the original
21 complaint. Forsyth v. Humana, Inc., 114 F.3d 1467, 1474 (9th Cir. 1997); King v. Atiyeh, 814
22 F.2d 565, 567 (9th Cir. 1987). The amended complaint must be "complete in itself without
23 reference to the prior or superseded pleading." Local Rule 220. Plaintiff is warned that "[a]ll
24 causes of action alleged in an original complaint which are not alleged in an amended complaint
25 are waived." King, 814 F.2d at 567 (citing London v. Coopers & Lybrand, 644 F.2d 811, 814 (9th
26 Cir. 1981)); accord Forsyth, 114 F.3d at 1474. In other words, even the claims that were properly
27 stated in the original complaint must be completely stated again in the amended complaint.

28 If Plaintiff wishes to amend his second amended complaint, the Court will entertain a

1 motion to amend the complaint. Under Rule 15(a) of the Federal Rules of Civil Procedure, a party
2 may amend the party's pleading once as a matter of course at any time before a responsive
3 pleading is served. Otherwise, a party may amend only by leave of the court or by written consent
4 of the adverse party, and leave shall be freely given when justice so requires. Fed. R. Civ. P.
5 15(a). "Rule 15(a) is very liberal and leave to amend 'shall be freely given when justice so
6 requires.'" Amerisource Bergen Corp. v. Dialysis W., Inc., 465 F.3d 946, 951 (9th Cir. 2006)
7 (quoting Fed. R. Civ. P. 15(a)).

8 Plaintiff is further advised that the Court is required to screen complaints brought by
9 prisoners seeking relief against a governmental entity or officer or employee of a governmental
10 entity. 28 U.S.C. § 1915A(a). This Court and its staff takes its role serious in complying with
11 statutes and other obligations under the United States Constitution and laws of the United States.
12 As Plaintiff's case is not the only case under consideration by the court and because cases are
13 screened in the order in which they are filed, absent good cause, the Court will screen cases in that
14 order and will continue to strive to avoid delays whenever possible. Accordingly,

15 IT IS HEREBY ORDERED that Plaintiff's addendum to the second amended complaint,
16 filed August 19, 2013, is STRIKEN from the record.

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19 IT IS SO ORDERED.

20 Dated: August 29, 2013

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23 UNITED STATES MAGISTRATE JUDGE
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