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7	UNITED STATES DISTRICT COURT		
8	EASTERN DISTRICT OF CALIFORNIA		
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10	RENO RIOS,	Case No. 1:12-cv-01334-LJO-SKO (PC)	
11	Plaintiff,		
12	v.	ORDER DENYING PLAINTIF'S MOTION TO SUPPLEMENT THE PLEADINGS	
13	GIPSON, et al.,	(Doc. 29)	
14	Defendants.		
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18	Plaintiff, Reno Rios, is currently proceeding on his claims under 42 U.S.C. § 1983 in the		
19	First Amended Complaint for deliberate indifference to his serious medical conditions (asthma,		
20	nerve pain, and dental issues) in violation of the Eighth Amendment against Defendants Dr.		
21	Wong, Dr. Clark, Dr. Macias, Dr. Neubarth, Dr. Kim, Dr. Nereddy, Dr. Liberstein, Dr. Nguyen,		
22	Dr. Pringle, Dr. Shampain/Champain, Dr. Briggs, FNP Rouch, and PA Sisodia. (See Docs. 12,		
23	21, 22.) On October 9, 2015, Plaintiff filed a motion to supplement the First Amended Complaint		
24	seeking to join additional defendants and claims. (Doc. 29.) On February 12, 2016, after being		
25	ordered to respond, Defendants filed an opposition. (See Docs. 36, 39.) Plaintiff failed to file a		
26	reply within the required time. The motion is deemed submitted. L.R. 230(1).		
27	This action is proceeding on Plaintiff's claim of deficient medical care in violation of the		
28	Eighth Amendment during the time he w	as housed in the Secured Housing Unit ("SHU") at	

California State Prison-Corcoran ("CSP-Cor"). Approximately seven months after he filed the
First Amended Complaint, Plaintiff was transferred to Kern Valley State Prison ("KVSP"). (*See*Docs. 12, 13.) Plaintiff now seeks leave to supplement the First Amended Complaint to add
medical claims against health care providers at KVSP, for allegedly deficient medical care of
different medical conditions (loss of hearing, foot pain, dermatological issues, and vision
impairment) than those upon which he proceeds in this action (asthma, nerve pain, and dental
issues). (*See* Docs.21, 22, 29.)

8 Pursuant to Rule 15(d), "the court may, on just terms, permit a party to serve a 9 supplemental pleading setting out any transaction, occurrence, or event that happened after the 10 date of the pleading to be supplemented." Fed. R. Civ. P. 15(d). Rule 15(d) does not require the 11 moving party to satisfy a transactional test, but there must still be a relationship between the claim in the original pleading and the claims sought to be added. Keith v. Volpe, 858 F.2d 467, 474 (9th 12 13 Cir. 1988). Thus, "[w]hile leave to permit supplemental pleading is favored, it cannot be used to 14 introduce a separate, distinct and new cause of action." Planned Parenthood of Southern Arizona 15 v. Neely, 130 F.3d 400, 402 (9th Cir. 1997) (internal quotation marks and citation omitted).

Although Plaintiff attempts to support his request for leave to supplement by contending that the care he received at KVSP is simply a continuation and extension of the deficient care he received at CSP-Cor, his argument lacks merit. The events are related only in that both involve medical issues – nothing more. To the extent they give rise to new claims for violation of Plaintiff's federal rights, the deficiencies in medical care at KVSP of which Plaintiff complains are separate, distinct, and new causes of action than those he is pursuing in this action.

This action has been pending for more than four years and the incidents giving rise to Plaintiff's claims occurred approximately eight to nine years ago. Allowing Plaintiff to add these separate, distinct, and new claims at this juncture would not serve the interests of judicial economy and convenience, and the proposed claims are simply not sufficiently related to the present claim to support granting leave to supplement. *Planned Parenthood*, 130 F.3d at 402; *Keith*, 858 F.2d at 474.

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1	Accordingly, Plaintiff's motion seeking leave to file a supplemental complaint, filed on	
2	October 9, 2015, is HEREBY DENIED.	
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4	IT IS SO ORDERED.	
5	Dated: March 10, 2016 /s/ Sheila K. Oberto	
6	Dated:March 10, 2016/s/ Sheila K. ObertoUNITED STATES MAGISTRATE JUDGE	
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