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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RICHARD D. HEYER,
Plaintiff,

v.

ANGELA KRUEGER, et al.,
Defendants.

Case No. 1:13-cv-01297 DLB PC

ORDER REGARDING PLAINTIFF'S
MOTION FOR CLARIFICATION

(Document 18)

Plaintiff Richard D. Heyer ("Plaintiff") is a California state prisoner proceeding pro se and in forma pauperis in this civil action pursuant to 42 U.S.C. § 1983. Plaintiff filed his complaint on August 5, 2013, and the action was transferred to this Court on August 13, 2013. Plaintiff's complaint is awaiting screening.

On October 1, 2013, Plaintiff filed a motion to amend his complaint. The Court denied the motion as moot on October 18, 2013, explaining that under Federal Rule of Civil Procedure 15(a), Plaintiff was permitted to file an amended complaint without leave of court.

On October 28, 2013, Plaintiff filed a motion for clarification. He requests clarification as to whether he can submit a "wholly new complaint form with a more simplified petition." The answer is yes.

Plaintiff is informed that as of right now, his original complaint is the operative pleading. At this time, he may file an amended complaint without leave of court, as explained previously. The

1 amended complaint should be a full, complete complaint by itself. In other words, the amended
2 complaint will stand on its own and cannot be a “supplement” to the original complaint. Once
3 Plaintiff files an amended complaint, the original complaint will no longer be the operative pleading.

4 Plaintiff is also directed to Local Rule 220, which requires that an amended complaint be
5 complete in itself without reference to any prior pleading.

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8 IT IS SO ORDERED.

9 Dated: November 5, 2013

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

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