

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT G. BAKER
Plaintiff,
v.
CONNIE GIPSON, et al.,
Defendants.

CASE NO. 1:13-cv-01931-MJS (PC)
**ORDER DENYING MOTION TO ADD
EXHIBITS TO FIRST AMENDED
COMPLAINT**
(ECF No. 29)

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983. (ECF Nos. 7 & 10.) The action proceeds against Defendant Kitt on Plaintiff's Eighth Amendment inadequate medical care claim. (ECF No. 11.) Before the Court is Plaintiff's March 9, 2015 motion to add exhibits to his first amended complaint. (ECF No. 29.) Plaintiff does not state the reason he wishes to add these documents to his complaint, except that they are "relevant."

Plaintiff's complaint has been screened and served on Defendant. (ECF Nos. 11 & 14.) Plaintiff's complaint must be complete in and of itself; the Court cannot add exhibits to an already-filed complaint. See Local Rule 220. If Plaintiff wishes to include these exhibits, he must amend his complaint. See Fed. R. Civ. P. 15. However, insofar as the Court approved the complaint for service without the exhibits, it does not seem any useful purpose would be served by moving to add them.

1 Moreover, Plaintiff is here advised again that parties may not file evidence with
2 the Court until the course of litigation brings the evidence into question (for example, on
3 a motion for summary judgment, at trial, or when requested by the Court). Presently, no
4 motions for summary judgment are before the Court, and no trial date has been set. In
5 the meantime, the Court will not serve as a repository for the parties' evidence (e.g.,
6 prison or medical records, affidavits, declarations, etc.).

7 Accordingly, Plaintiff's motion to add exhibits to his first amended complaint (ECF
8 No. 29) is HEREBY DENIED.

9
10 IT IS SO ORDERED.

11 Dated: March 10, 2015

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28