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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

COSME PRESAS,

Plaintiff,

v.

KERN MEDICAL CENTER, et al.,

Defendants.

Case No. 1:13-cv-02038-LJO-SKO (PC)

ORDER (1) DISREGARDING PROPOSED SUPPLEMENTAL COMPLAINT AND (2) GRANTING MOTIONS FOR LEAVE TO FILE SUPPLEMENTAL COMPLAINTS, SUBJECT TO FILING SECOND AMENDED COMPLAINT THAT IS COMPLETE WITHIN ITSELF WITHIN THIRTY DAYS

(Docs. 19, 20, and 27)

Plaintiff Cosme Presas, a prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on December 13, 2013. On June 13, 2014, Plaintiff filed a first amended complaint in compliance with the Court’s screening order. On December 1, 2014, Plaintiff filed a motion seeking leave to file a supplemental complaint and he submitted a proposed supplemental complaint. On February 11, 2015, Plaintiff filed a second motion seeking leave to supplement his complaint.

Although Plaintiff is entitled to seek leave to supplement his first amended complaint to add facts relating to events which occurred after June 23, 2014, Fed. R. Civ. P. 15(d), his pleading must nonetheless be complete within itself without reference to prior or subsequent pleadings, Local Rule 220. Therefore, if Plaintiff wishes to add facts or exhibits to his first amended complaint, he must file a pleading that is complete within itself without reference to his prior pleading. In as much as Plaintiff’s first amended complaint will come before the Court for

1 statutory screening in the near future, 28 U.S.C. § 1915A, the Court will grant Plaintiff thirty days
2 within which to file a second amended complaint that is complete within itself without reference
3 to his first amended complaint, Local Rule 220. If Plaintiff does not file a second amended
4 complaint within thirty days that is complete within itself, the Court will screen his first amended
5 complaint, filed on June 23, 2014.

6 Accordingly, it is HEREBY ORDERED that:

- 7 1. Plaintiff's proposed supplemental complaint, lodged on December 1, 2014, is
8 DISREGARDED;
- 9 2. Plaintiff's motions for leave to file supplemental complaints are GRANTED,
10 subject to the filing of a second amended complaint that is complete within itself
11 within **thirty (30) days** from the date of service of this order;
- 12 3. Plaintiff's second amended complaint may not exceed **twenty-five (25) pages** in
13 length, exclusive of exhibits; and
- 14 4. If Plaintiff's second amended complaint fails to comply with twenty-five page
15 limit, it will be stricken from the record.

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17 IT IS SO ORDERED.

18 Dated: April 8, 2015

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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