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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ARCHIE CRANFORD,)	Case No.: 1:14-cv-00921-LJO-SAB (PC)
)	
Plaintiff,)	
)	ORDER DENYING PLAINTIFF’S MOTION TO
v.)	AMEND COMPLAINT
)	
ANTONIA OKPALA,)	[ECF No. 34]
)	
Defendant.)	
)	
)	
)	

Plaintiff Archie Cranford is a civil detainee proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Individuals detained pursuant to California Welfare and Institutions Code § 6600 et seq. are civil detainees and are not prisoners within the meaning of the Prison Litigation Reform Act. Page v. Torrey, 201 F.3d 1136, 1140 (9th Cir. 2000).

Currently before the Court is Plaintiff’s motion to amend, filed April 4, 2016. (ECF No. 34.) This case is proceeding on Plaintiff’s second complaint filed on February 9, 2015 against Defendant Antonia Okpala for denial of medical attention arising from an incident in 2012.

Plaintiff’s present motion to amend is one page of allegations against Defendant for incident that took place in March 2016. It appears that Plaintiff is attempting to supplement rather than amend his complaint.

Under Rule 15 of the Federal Rules of Civil Procedure, “[o]n motion and reasonable notice, the court may, on just terms, permit a party to serve a supplemental pleading setting out any transaction,

1 occurrence, or event that happened after the date of the pleading to be supplemented.” Fed. R. Civ. P.
2 15(d). “While leave to permit supplemental pleading is ‘favored,’ it cannot be used to introduce a
3 ‘separate, distinct and new cause of action.’ Planned Parenthood of S. Ariz. V. Neely, 130 F.3d 400,
4 402 (9th Cir. 1997) (citations omitted). “When the facts alleged in the supplemental pleadings are
5 based on facts which are completely unrelated to the facts at issue in the original complaint, allowing a
6 plaintiff to add the additional claims would not serve the purpose of Rule 15(d), namely promoting as
7 complete an adjudication of the dispute between the parties as possible.” Brook v. Sing, No. CIV S-
8 09-01364 GEB CKD P, 2012 WL 78417, at *1 (E.D. Cal.) (citation omitted).

9 Here, Plaintiff has not demonstrated how his intended supplemental pleading meets the
10 standard set forth above. Furthermore, at this juncture in the proceedings, after Defendant has made
11 an appearance, new allegations relating to recent events (which took place four years after the events
12 presently at issue) would likely cause delay, inconvenience, and prejudice to Defendant. Accordingly,
13 based on the record in this case and Plaintiff’s failure to demonstrate that his motion to supplement is
14 justified under Rule 15(d), Plaintiff’s motion is DENIED.

15
16 IT IS SO ORDERED.

17 Dated: April 29, 2016


UNITED STATES MAGISTRATE JUDGE