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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TIMOTHY HANNA,
Plaintiff,
v.
RON DAVIS, et al.,
Defendants.

Case No. 1:14-cv-01339 DLB
ORDER DENYING MOTION
TO FILE AMENDED COMPLAINT
AS MOOT
(Document 18)
THIRTY-DAY DEADLINE

Plaintiff Timothy Hanna (“Plaintiff”), a state prisoner proceeding pro se, filed this action on August 28, 2014.

On September 10, 2014, the Court screened Plaintiff’s complaint and dismissed it with leave to amend. Plaintiff filed his First Amended Complaint on November 20, 2014, and it is currently awaiting screening.

On December 15, 2014, Plaintiff filed a motion for leave to file an amended complaint pursuant to Federal Rule of Civil Procedure 15(a). He states that since the filing of his original complaint, he has been transferred and that “new evidence has come to light which will require the Court’s attention.” Plaintiff also states that CDCR has “further contributed” to his original complaint by imposing further punishment and emotional suffering. ECF No. 18, at 1.

At this stage in the proceedings, Plaintiff has the right to amend once as a matter of course. Fed. R. Civ. P. 15(a). Accordingly, Plaintiff’s motion to amend is HEREBY DENIED as moot, and Plaintiff may file his amended complaint without leave of court.

1 However, in amending, Plaintiff is reminded that he cannot join unrelated parties and
2 claims to this action. Fed.R.Civ.P. 18(a) states: “A party asserting a claim, counterclaim,
3 crossclaim, or third-party claim may join, as independent or alternative claims, as many claims as
4 it has against an opposing party.” “Thus multiple claims against a single party are fine, but Claim
5 A against Defendant 1 should not be joined with unrelated Claim B against Defendant 2.
6 Unrelated claims against different defendants belong in different suits, not only to prevent the sort
7 of morass [a multiple claim, multiple defendant] suit produce[s], but also to ensure that prisoners
8 pay the required filing fees—for the Prison Litigation Reform Act limits to 3 the number of
9 frivolous suits or appeals that any prisoner may file without prepayment of the required fees.”
10 George v. Smith, 507 F.3d 605, 607 (7th Cir.2007) (citing 28 U.S.C. § 1915(g)); see also
11 Fed.R.Civ.P. 20(a)(2) (“Persons ... may be joined in one action as defendants if ... any right to
12 relief is asserted against them jointly, severally, or in the alternative with respect to or arising out
13 of the same transaction, occurrence, or series of transactions or occurrences”)

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15 IT IS SO ORDERED.

16 Dated: December 19, 2014

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

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