UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

GUILLERMO TRUJILLO, Plaintiff, v. STU SHERMAN, et al., Defendants.	Case No.: 1:14-cv-01401-BAM (PC) ORDER REGARDING PLAINTIFF'S MOTION FOR SUPPLEMENT AND MOTION FOR AMEND (ECF Nos. 12 and 13) THIRTY-DAY DEADLINE

Plaintiff Guillermo Trujillo ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff initiated this action on September 8, 2014.

On December 22, 2014, Plaintiff filed a motion for a supplemental complaint. (ECF No. 10.) On January 5, 2011, the Court construed the motion as request to amend the complaint and informed Plaintiff that he did not need leave of court to file an amended complaint at the current stage of proceedings. The Court directed Plaintiff to file any amended complaint within thirty days following service. (ECF No. 11.)

On January 5, 2015, Plaintiff filed a motion for supplement. (ECF No. 12.) The motion appears to be a partially amended complaint with exhibits. On January 20, 2015, Plaintiff filed a motion to amend, which also appears to be an amended complaint. (ECF No. 13.)

Following a review of the pleadings, it is not evident whether Plaintiff intends the Court to review both the motion for supplement and motion to amend as a single amended complaint or if he intends some other course of action. In an abundance of caution, the Court will grant Plaintiff leave to amend his complaint. In so doing, Plaintiff is advised that an amended complaint supersedes the original complaint. Lacey v. Maricopa County, 693 F.3d 896, 927 (9th Cir. 2012). Further, any amended complaint must be "complete in itself without reference to the prior or superseded pleading." Local Rule 220. Plaintiff therefore will be required to submit a complete amended complaint (and any proposed exhibits) in a single filing to the Court.

Accordingly, it is HEREBY ORDERED that:

1. Plaintiff's motions to supplement and to amend are GRANTED;
2. Plaintiff shall file an amended complaint, which is complete in itself, within thirty (30) days following service of this order. The complaint should be clearly labeled "Amended Complaint;" and
3. If Plaintiff fails to file an amended complaint in compliance with this order, this action may be dismissed for failure to obey a court order.

IT IS SO ORDERED.

Dated: **February 11, 2015**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE