

1 An amended pleading supersedes the original pleading and must be "complete in itself
2 without reference to the prior or superseded pleading," Local Rule 15-220. As a result, allowing the
3 first amended petition to proceed will eliminate the claims and exhibits that were included in the
4 original petition, but omitted in the first amended petition. Because the Court cannot determine
5 whether Petitioner intentionally omitted the additional claims and exhibits, the Court will grant
6 Petitioner leave to amend the first amended petition.

7 The Court hereby ORDERS:

- 8 1. Within **thirty (30) days** from the date of service of this order, Petitioner may file a
9 second amended petition incorporating into the first amended petition those claims
10 and exhibits from the original petition that he wishes to include in the final form of
11 his petition. The second amended petition should completely state Petitioner's
12 claims without reference to either prior petition.
- 13 2. If Petitioner advises the Court, in writing, that he wishes to proceed only with the
14 single claim set forth in the first amended petition, or if Petitioner does not file an
15 amended petition within thirty days of this order, the case will proceed only on the
16 claim set forth in the first amended petition.

17 IT IS SO ORDERED.

18 Dated: May 1, 2015

19 /s/ Sandra M. Snyder
20 UNITED STATES MAGISTRATE JUDGE
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