

1 Recommendations and grant Plaintiff one additional opportunity to amend the complaint to add any
2 additional allegations and attempt to present a cognizable claim. Plaintiff is advised that the amended
3 complaint should be brief, Fed R. Civ. P. 8(a), but must state what each named defendant did that led
4 to the deprivation of Plaintiff's constitutional or other federal rights. See Ashcroft v. Iqbal, 556 U.S.
5 662, 678 (2009). In addition, Plaintiff may not change the nature of this suit by adding new, unrelated
6 claims in his amended complaint. George v. Smith, 507 F.3d 605, 607 (7th Cir. 2007). Although
7 accepted as true, the "[f]actual allegations must be [sufficient] to raise a right to relief above the
8 speculative level...." Bell Atlantic Corp. v. Trowmbly, 550 U.S. 544, 555 (2007). Finally, Plaintiff is
9 advised that an amended complaint supersedes the original complaint, Forsyth v. Humana, Inc., 114
10 F.3d 1467, 1474 (9th Cir. 1997), overruled in part on other grounds, Lacey v. Maricopa County, 693
11 F.3d 896, 928 (9th Cir. 2012); King v. Atiyeh, 814 F.2d 565, 567 (9th Cir. 1987), and must be
12 "complete in itself without reference to the prior or superseded pleading." Local Rule 220.

13 Plaintiff is admonished that he must comply with court orders, especially when it comes to
14 deadlines. The deadlines set by the court are not recommendations, but orders. Future orders may not
15 be vacated if Plaintiff is untimely in meeting deadlines.

16 Accordingly, it is HEREBY ORDERED that:

- 17 1. The Findings and Recommendations, issued September 19, 2017, are vacated;
- 18 2. Plaintiff is granted **thirty (30)** days from the date of service of this order in which to
19 file an amended complaint; and
- 20 3. If Plaintiff fails to comply with this order, the Court will re-issue the Findings and
21 Recommendations recommending dismissal of the action.

22
23 IT IS SO ORDERED.

24 Dated: October 2, 2017



UNITED STATES MAGISTRATE JUDGE