



1 allegations in any detail and have not lodged a copy of the proposed amended complaint. (*Id.*)

2 Rule 15 of the Federal Rules of Civil Procedure permits a party to amend his or her pleading  
3 once as a matter of course at any time before a responsive pleading is served. Fed. R. Civ. P.  
4 15(a)(1). Plaintiffs have not yet amended the complaint in this action and no defendant has yet  
5 appeared or been served. Accordingly, leave to amend is not required and Plaintiffs may file an  
6 amended complaint if they desire to do so. Plaintiffs are reminded of the Court's obligation to  
7 screen complaints of pro se litigants proceeding in forma pauperis and, if Plaintiffs elect to file an  
8 amended complaint, it will be screened in due course.

9 Plaintiffs are further reminded that Federal Rule of Civil Procedure 8 requires a complaint  
10 to contain "a short and plain statement of the claim showing that the pleader is entitled to relief."  
11 Fed. R. Civ. P. 8(a). Plaintiffs' operative complaint is neither short nor plain and lacks clear factual  
12 allegations regarding the incident at issue as well as the involvement of various defendants.  
13 Plaintiffs are therefore cautioned that any pleading filed with the Court, including an amended  
14 complaint, must comply with Federal Rule of Civil Procedure 8 by clearly and succinctly stating  
15 what happened, when it happened, and who was involved.

16 Additionally, Plaintiff may not change the nature of this suit by adding new, unrelated  
17 claims in his first amended complaint. George v. Smith, 507 F.3d 605, 607 (7th Cir. 2007) (no  
18 "buckshot" complaints).

19 Finally, Plaintiff is advised that an amended complaint supersedes the original complaint.  
20 Lacey v. Maricopa Cty., 693 F.3d 896, 927 (9th Cir. 2012). Therefore, Plaintiff's amended  
21 complaint must be "complete in itself without reference to the prior or superseded pleading." Local  
22 Rule 220.

23 Accordingly, Plaintiff's motion to amend (Doc. No. 9) is DENIED as moot.

24  
25 IT IS SO ORDERED.

26 Dated: February 6, 2019

27 /s/ Barbara A. McAuliffe  
28 UNITED STATES MAGISTRATE JUDGE