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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LARRY WATSON,

Petitioner,

No. CIV S-09-1855 FCD EFB P

vs.

JAMES D. HARTLEY,

Respondent.

ORDER

_____/

Petitioner, a state prisoner proceeding without counsel, seeks a writ of habeas corpus. *See* 28 U.S.C. § 2254. On January 5, 2010, the court directed respondent to, within 60 days, file a response to petitioner’s November 30, 2009 petition and accompanying motions. Dckt. No. 18. However, on January 19, 2010, petitioner filed an amendment to his petition. Dckt. No. 21. That amended petition fails to comply with the court’s rules.

Pursuant to the Local Rules, “every pleading to which an amendment or supplement is permitted as a matter of right or has been allowed by Court order shall be retyped and filed so that it is complete in itself without reference to the prior or superseded pleading.” L.R. 220. This is because, as a general rule, an amended complaint supersedes an earlier complaint. *See Loux v. Rhay*, 375 F.2d 55, 57 (9th Cir.1967). Petitioner has not complied with this rule and the court will therefore disregard the January 19, 2010 filing. Petitioner may, however, file a motion

1 to seeking leave to amend his petition, and attach to that motion an amended petition that is
2 complete in itself, without reference to the original petition.

3 Accordingly, it is ORDERED that the court will take no action on the January 19, 2010
4 amendment.

5 Dated: February 4, 2010.


6 EDMUND F. BRENNAN
7 UNITED STATES MAGISTRATE JUDGE
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