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

GARRY GENE GRAHAM,

Plaintiff,

No. CIV S-09-3025 KJM P

vs.

SHASTA COUNTY SHERIFF'S
DEPT., et al.,

Defendants.

ORDER

Plaintiff is a Shasta County Jail prisoner proceeding pro se. Plaintiff seeks relief pursuant to 42 U.S.C. § 1983 and has requested leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1).

Plaintiff has submitted a declaration that makes the showing required by 28 U.S.C. § 1915(a). Accordingly, the request to proceed in forma pauperis will be granted.

Plaintiff is required to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. §§ 1914(a), 1915(b)(1). An initial partial filing fee of \$2.00 will be assessed by this order. 28 U.S.C. § 1915(b)(1). By separate order, the court will direct the appropriate agency to collect the initial partial filing fee from plaintiff's trust account and forward it to the Clerk of the Court. Thereafter, plaintiff will be obligated for monthly payments of twenty percent of the

1 preceding month's income credited to plaintiff's prison trust account. These payments will be
2 forwarded by the appropriate agency to the Clerk of the Court each time the amount in plaintiff's
3 account exceeds \$10.00, until the filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

4 Plaintiff filed his complaint on October 29, 2009 and then filed a "supplement" to
5 his complaint on November 2, 2009. Supplements to complaints are prohibited by Local Rule
6 220. In other words, complaints must be complete documents. Therefore, plaintiff's complaint
7 and "supplement" will be dismissed. Plaintiff will be granted thirty days within which to file an
8 amended complaint which contains all of his claims, supporting facts and exhibits.

9 In accordance with the above, IT IS HEREBY ORDERED that:

10 1. Plaintiff's request for leave to proceed in forma pauperis is granted.

11 2. Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action.

12 Plaintiff is assessed an initial partial filing fee of \$2.00. All fees shall be collected and paid in
13 accordance with this court's order to the Shasta County Sheriff filed concurrently herewith.

14 3. Plaintiff's complaint and October 2, 2009 "supplement" are dismissed.

15 4. Plaintiff is granted thirty days from the date of service of this order to file an
16 amended complaint that complies with the requirements of the Civil Rights Act, the Federal
17 Rules of Civil Procedure, and the Local Rules of Practice; the amended complaint must bear the
18 docket number assigned this case and must be labeled "Amended Complaint"; plaintiff must file
19 an original and two copies of the amended complaint; failure to file an amended complaint in
20 accordance with this order will result in this action being dismissed.

21 DATED: May 13, 2010.

22 
23 U.S. MAGISTRATE JUDGE