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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SEAN L. ROWELL,
Plaintiff,
v.
L.D. ZAMORA, et al.,
Defendants.

No. 2:14-cv-1888-KJM-EFB P

ORDER

Plaintiff, a state prisoner without counsel, has filed a complaint alleging civil rights violations pursuant to 42 U.S.C. § 1983. On June 15, 2016, the court recommended that this action be dismissed because plaintiff’s amended complaint failed to state a claim upon which relief could be granted. ECF No. 14. In his June 23, 2016 objections, plaintiff argues that he can include additional allegations in a second amended complaint that could support a claim of deliberate indifference to medical needs in violation of the Eighth Amendment. ECF No. 15. In an abundance of caution, the court will vacate the June 15, 2016 findings and recommendations and allow plaintiff leave to file a second amended complaint.

Plaintiff is reminded that an individual defendant is not liable on a civil rights claim unless the facts establish the defendant’s personal involvement in the constitutional deprivation or a causal connection between the defendant’s wrongful conduct and the alleged constitutional deprivation. See *Hansen v. Black*, 885 F.2d 642, 646 (9th Cir. 1989); *Johnson v. Duffy*, 588 F.2d 740, 743-44 (9th Cir. 1978).

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Accordingly, IT IS HEREBY ORDERED that:

1. The June 15, 2016 findings and recommendations (ECF No. 14) are vacated.
2. Within 30 days from the date this order is served, plaintiff may file a second amended complaint curing the defects in his Eighth Amendment claim. The second amended complaint must be written or typed so that it so that it is complete in itself without reference to any earlier filed complaint and may not change the nature of this suit by alleging new, unrelated claims.
3. Failure to comply with this order will again result in a recommendation that this action be dismissed for failure to state a claim.

DATED: June 27, 2016.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE