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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RODNEY JEROME WOMACK,
Plaintiff,
v.
WARDEN PERRY,
Defendant.

No. 2:15-cv-1858 JAM CKD P (TEMP)

ORDER

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with an action filed pursuant to 42 U.S.C. § 1983.

On November 10, 2015, the court dismissed plaintiff's complaint and granted him thirty days leave to file an amended complaint. (Doc. No. 9) On December 4, 2015, plaintiff filed an amended complaint. (Doc. No. 13) However, on January 11, 2016, plaintiff filed a motion to amend his complaint to name an additional defendant to this action. (Doc. No. 14) Then, on January 20, 2016, plaintiff filed a supplemental complaint to include a request for monetary damages as part of his prayer for relief. (Doc. No. 15)

This court will not allow plaintiff to proceed in this action with the piecemeal filing of amended complaints and supplemental complaints. See Local Rule 220. Under the circumstances of this case, the court will dismiss plaintiff's amended complaint, deny his motion to amend, and dismiss his supplemental complaint. The court will grant plaintiff thirty days leave

1 to file a second amended complaint that is complete in and of itself without reference to any prior
2 pleading. In his second amended complaint, plaintiff should identify all of the defendants he
3 wishes to proceed against by name. In the section of the form complaint where the plaintiff is
4 required to set forth a brief statement of his claim, he should describe how each named defendant
5 has deprived him of his federal constitutional or statutory rights. Finally, plaintiff should specify
6 what his prayer for relief is and state exactly what he wants the court to do for him in the section
7 of the complaint form designated for that purpose. Plaintiff's failure to comply with this order or
8 request an extension of time to do so will result in a recommendation for dismissal of this action.

9 Accordingly, IT IS HEREBY ORDERED that:

- 10 1. Plaintiff's amended complaint (Doc. No. 13) is dismissed;
- 11 2. Plaintiff's motion to amend (Doc. No. 14) is denied;
- 12 3. Plaintiff's supplemental complaint (Doc. No. 15) is dismissed;
- 13 4. Plaintiff is granted thirty days from the date of service of this order to file a second
14 amended complaint that complies with the requirements of the Civil Rights Act, the Federal Rules
15 of Civil Procedure, and the Local Rules of Practice; the second amended complaint must bear the
16 docket number assigned to this case and must be labeled "Second Amended Complaint"; failure
17 to file a second amended complaint in accordance with this order will result in a recommendation
18 for dismissal of this action without prejudice; and
- 19 5. The Clerk of the Court is directed to send plaintiff the court's form for filing a civil
20 rights action.

21 Dated: March 11, 2016

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23 _____
24 CAROLYN K. DELANEY
25 UNITED STATES MAGISTRATE JUDGE

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