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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAYMOND D. JACKSON, Sr.,
Plaintiff,
v.
J. BICK, et al.,
Defendants.

No. 2:15-cv-2066 DB P

ORDER

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action under 42 U.S.C. § 1983. On January 24, 2017, the court screened plaintiff's complaint and found that it stated cognizable claims against defendants Bick, Aguilera, Crosson, DiTomas, Clarke, Horch, and Lewis. (ECF No. 14.) On February 15, 2017, plaintiff moved to stay service of the complaint on defendants so that he may file an amended complaint. (ECF No. 17.)

Plaintiff's motion will be granted. Plaintiff is advised that the court cannot refer to a prior pleading in order to make plaintiff's amended complaint complete. Local Rule 220 requires that an amended complaint be complete in itself without reference to any prior pleading. This is because, as a general rule, an amended complaint supersedes the original complaint. See Loux v. Rhay, 375 F.2d 55, 57 (9th Cir. 1967). Once plaintiff files an amended complaint, the original pleading no longer serves any function in the case. Therefore, in an amended complaint, as in an

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1 original complaint, each claim and the involvement of each defendant must be sufficiently
2 alleged.

3 Accordingly, IT IS HEREBY ORDERED as follows

4 1. Plaintiff's motion to stay service of the complaint on defendants to permit him to
5 amend his complaint (ECF No. 17) is granted. Within thirty days of the date of this order,
6 plaintiff shall file any amended complaint.¹ The amended complaint must bear the docket
7 number assigned this case. Plaintiff must file an original and two copies of the amended
8 complaint.

9 2. The Clerk of the Court is directed to send plaintiff a copy of the prisoner complaint
10 form used in this district.

11 Dated: March 3, 2017

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15 DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

16 DLB:9
17 DLB1/prisoner-civil rights/jack2066.mta

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¹ Because defendants have not yet been served, plaintiff need not file a separate motion to amend the complaint. See Fed. R. Civ. P. 15(a).