

1 In the May 19, 2016, order, the undersigned found that plaintiff's claim for injunctive
2 relief against the federal defendants was not cognizable, because the Ninth Circuit recently held
3 that relief under Bivens does not encompass declaratory and injunctive relief when the injunctive
4 relief sought requires official government action. (ECF No. 12 at 3.) The undersigned dismissed
5 plaintiff's claim for damages against the federal defendants with leave to amend. (Id. at 3-4.)
6 The undersigned found that plaintiff had pled no specific facts demonstrating that the conduct of
7 the federal defendants violated his constitutional rights. (Id. at 4.) The undersigned found the
8 claims against defendant Sheriff Dufor to state potentially cognizable claims for relief. (Id.) The
9 undersigned ordered that if plaintiff did not file an amended complaint, he would order service of
10 defendant Durfor. (Id. at 8.)

11 Plaintiff's amended complaint names the same defendants as those named in the original
12 complaint. (ECF No. 13.) However, the amended complaint appears only to address the claims
13 against the federal defendants. Plaintiff argues that the federal defendants had knowledge of the
14 allegedly unconstitutional conditions by way of a federal consent decree. Plaintiff's amended
15 complaint does not include his claims against defendant Sheriff Dufor. Plaintiff's amended
16 complaint also does not describe each at-issue condition as did the original complaint, i.e.,
17 inability to practice Catholic religion, inadequate clean clothing, etc.

18 The court cannot refer to a prior pleading in order to make plaintiff's amended complaint
19 complete. Local Rule 220 requires that an amended complaint be complete in itself without
20 reference to any prior pleading. This requirement exists because, as a general rule, an amended
21 complaint supersedes the original complaint. See Loux v. Rhay, 375 F.2d 55, 57 (9th Cir. 1967).
22 Once plaintiff files an amended complaint, the original pleading no longer serves any function in
23 the case. Therefore, in an amended complaint, as in an original complaint, each claim and the
24 involvement of each defendant must be sufficiently alleged.

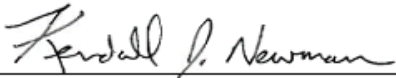
25 Plaintiff's amended complaint does not comply with Local Rule 220 because it is not
26 complete in itself. For this reason, the amended complaint is dismissed. Plaintiff is granted thirty
27 days to file a second amended complaint that includes all claims and allegations against all
28 defendants.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's amended complaint (ECF No. 13) is dismissed;
2. Plaintiff is granted thirty days to file a second amended complaint; if plaintiff does not file a second amended complaint within that time, the court will order service of those claims found colorable in the original complaint.

Dated: June 8, 2016


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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