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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RONNIE STERLING LACY,  
Plaintiff,  
v.  
T. TAYLOR, et al.,  
Defendants.

No. 2:16-cv-1859 CKD P

ORDER

Plaintiff is a state prisoner proceeding without counsel. On October 20, 2016, the court screened plaintiff's complaint pursuant to 28 U.S.C. § 1915A(a) and dismissed with leave to amend. Plaintiff has now filed an amended complaint, but the complaint still fails to state a claim upon which relief can be granted. Good cause appearing, plaintiff will be given one final opportunity to state a claim upon which relief can be granted in a second amended complaint. As to the contents of the second amended complaint, plaintiff should refer back to the court's October 20, 2016 order for details regarding what information is required to state a claim. Plaintiff is reminded that the court cannot refer to a prior pleading in order to make plaintiff's second 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 a second amended complaint, the original pleading no longer

1 serves any function in the case. Therefore, in a second amended complaint, as in an original  
2 complaint, each claim and the involvement of each defendant must be sufficiently alleged.

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

4 1. Plaintiff's amended complaint is dismissed; and

5 2. Plaintiff is granted thirty days from the date of service of this order to file a second  
6 amended complaint that complies with the requirements of the Civil Rights Act, the Federal Rules  
7 of Civil Procedure, and the Local Rules of Practice; the second amended complaint must bear the  
8 docket number assigned this case and must be labeled "Second Amended Complaint;" failure to  
9 file a second amended complaint in accordance with this order will result in a recommendation  
10 that this action be dismissed.

11 Dated: March 27, 2017



CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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