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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAYMELL LAMAR EASON,
Plaintiff,
v.
WAL MART STORES, INC.,
Defendant.

No. 2:16-cv-1876 KJM GGH

ORDER

Plaintiff brings this civil rights action acting pro se. Defendant currently has a Motion for Judgment on the Pleadings pending that is scheduled for hearing on June 15, 2017, before the undersigned. On April 21, 2017, plaintiff filed a pleading titled “Addendum to Complaint” in which he purports to add two additional Claims, one for Battery and one for Malice. ECF No. 39.

Federal Rule of Civil Procedure 7 lists the pleadings that are recognized by federal district courts as follows:

- (a) Pleadings. Only these pleadings are allowed:
 - (1) a complaint;¹
 - (2) an answer to a complaint;
 - (3) an answer to a counterclaim designated as a counterclaim;

¹ An Amended Complaint is still a “Complaint” within the meaning of this Rule.

- 1 (4) an answer to a crossclaim;
- 2 (5) a third-party complaint;
- 3 (6) an answer to a third-party complaint; and
- 4 (7) if the court orders one, a reply to an answer.

5 There is no provision under this Rule for a document entitled “an Addendum.” If, therefore, the
6 plaintiff seeks to add claims to his original Complaint, he must do so through an Amended
7 Complaint properly drafted and identified as such.

8 In light of the foregoing **IT IS ORDERED THAT** plaintiff’s “Addendum to Complaint,”
9 ECF No. 39, shall be stricken.

10 **IT IS SO ORDERED.**

11 Dated: May 1, 2017

12 /s/ Gregory G. Hollows
13 UNITED STATES MAGISTRATE JUDGE

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