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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL CRUDUP,
Plaintiff,
v.
PLEASANT VALLEY STATE PRISON,
et al.,
Defendants.

No. 2:16-cv-2748 MCE DB P

ORDER TO SHOW CAUSE

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action under 42 U.S.C. § 1983. Plaintiff alleges that he was diagnosed with Valley Fever in 2005 while at Pleasant Valley State Prison and that he has suffered from it over the intervening years. (ECF No. 1.) Plaintiff seeks monetary damages for his pain and suffering, as well as better medical care. (Id.)

By its October 6, 2017 order, the court dismissed plaintiff's complaint with leave to amend for failure to state a claim. (ECF No. 8.) Plaintiff was instructed to file an amended complaint within thirty days. Thirty days from that date have now expired, and plaintiff has not filed an amended complaint or otherwise responded to the court's order.

Plaintiff is warned that failure to file an amended complaint may result in a recommendation that his action be dismissed for lack of prosecution and failure to comply with


1 the court's orders. See Local Rule 110; Fed. R. Civ. P. 41(b). Within thirty days of the date of
2 this order, plaintiff shall file an amended complaint or show cause in writing why this action
3 should not be recommended for dismissal, due to plaintiff's failure to file an amended complaint.

4 Plaintiff is reminded that the court cannot refer to a prior pleading in order to make the
5 amended complaint complete. Local Rule 220 requires that an amended complaint be complete
6 in itself without reference to any prior pleading. This is because, as a general rule, an amended
7 complaint supersedes the original complaint. See Loux v. Rhay, 375 F.2d 55, 57 (9th Cir. 1967).
8 Once plaintiff files an amended complaint, the original complaint no longer serves any function in
9 the case. Therefore, in an amended complaint, as in an original complaint, each claim and the
10 involvement of each defendant must be sufficiently alleged.

11 Accordingly, IT IS HEREBY ORDERED that:

- 12 1. Plaintiff shall comply with the court's previous order entered on October 6, 2017 and
13 file an amended complaint; or
- 14 2. Plaintiff shall show good cause why he cannot comply with the order.
- 15 3. Plaintiff is warned that failure to timely comply with this order may result in a
16 recommendation that this action be dismissed.

17 Dated: November 26, 2017

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21 DEBORAH BARNES
22 UNITED STATES MAGISTRATE JUDGE

23 DB:12
24 DB/Orders/Prisoner.Civil.Rights/crud.2748.fta.osc
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