

1 As a general rule, an amended complaint supersedes the original complaint. See
2 Ferdik v. Bonzelet, 963 F.2d 1258, 1262 (9th Cir. 1992). Therefore, if Plaintiff amends the
3 complaint, the Court cannot refer to the prior pleading in order to make Plaintiff's amended
4 complaint complete. See Local Rule 220. An amended complaint must be complete in itself
5 without reference to any prior pleading. See id. Here, the third amended complaint no longer
6 names as defendants T. Hatley or D. Shelton. Any claims Plaintiff had previously asserted
7 against these individuals are, therefore, abandoned. This action shall proceed on the third
8 amended complaint against Defendant Mell only.

9 Accordingly, IT IS HEREBY ORDERED that:

10 1. The Clerk of the Court is directed to terminate "T. Hatley," "Trevor
11 Hatley," "D. Shelton," and "Duane Shelton" as defendants to this action because they are no
12 longer named in the operative amended complaint;

13 2. The Clerk of the Court is directed to update the docket to reflect that this
14 action proceeds against Defendant "David Mell" only; and

15 3. The motion to dismiss, ECF No. 61, filed by T. Hatley and D. Shelton is
16 denied as unnecessary because Plaintiff no longer names those individuals as defendants to this
17 action.

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20 Dated: February 25, 2021



21 DENNIS M. COTA
22 UNITED STATES MAGISTRATE JUDGE