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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EARNEST C. WOODS,)	No. C 10-1859 JSW (PR)
)	
Plaintiff,)	ORDER OF DISMISSAL
)	
v.)	
)	
BEN CURRY, et al.,)	
)	
Defendants.)	(Docket No. 36)

Plaintiff, a California prisoner, has filed this pro se civil rights complaint under 42 U.S.C. § 1983. He was granted leave to proceed in forma pauperis.

After reviewing the complaint pursuant to 28 U.S.C. § 1915(g), the Court found that it improperly joined a variety of claims into a single complaint. *See* Fed. R. Civ. P. 18, 20. Specifically, the complaint asserted claims against 41 different defendants based on a wide variety of unrelated events that occurred at his prison, the California Training Facility (“CTF”), over a substantial period of time. *See George v. Smith*, 507 F.3d 605, 607 (7th Cir. 2007) (federal joinder rules prohibit prisoner filing “buckshot complaint” that joins unrelated claims against different defendants, e.g. “a suit complaining that A defrauded plaintiff, B defamed him, C punched him, D failed to pay a debt, and E infringed his copyright, all in different transactions”). Because it could not be discerned which of the broad array of claims Plaintiff would want to eliminate, the case was dismissed with leave to file an amended complaint that, pursuant to federal joinder rules, only included claims that arise out of the same transaction, occurrence, or series of transactions or occurrences and present questions of law or fact common to all

1 defendants. *See* Fed. R. Civ. P. 20(a). He was cautioned that his failure to do so would
2 result in the dismissal of this case without prejudice.

3 Plaintiff has filed an amended complaint that suffers from the same deficiencies as
4 the original complaint. It names 43 defendants and consists entirely of a narrative
5 recounting over approximately 30 pages a long series of unrelated events that took place
6 at his prison over the course of five years. He asserts a wide variety of constitutional
7 violations against different defendants, but at no point does he list his claims. He also
8 attaches voluminous unlabeled exhibits, which he does not cite or explain. In sum, the
9 amended complaint is a prototypical “buckshot” complaint alleging different and
10 unrelated claims against different defendants. As Plaintiff has been informed that such a
11 complaint is prohibited, and as he has been afforded an opportunity to cure this type of
12 deficiency in his pleadings but has failed to do so, this case is DISMISSED without
13 prejudice to filing a new complaint in a new case that complies with the Federal Rules of
14 Civil Procedure.

15 Plaintiff’s renewed request for “appointment” of counsel (dkt. 36) is DENIED.
16 The Clerk shall enter judgment and close the file.

17 IT IS SO ORDERED.

18 DATED: May 2, 2013

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21 _____
22 JEFFREY S. WHITE
23 United States District Judge
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1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
4

5 EARNEST C. WOODS II,
6 Plaintiff,

Case Number: CV10-01859 JSW

7 **CERTIFICATE OF SERVICE**

8 v.

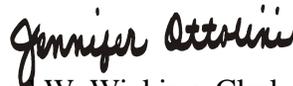
9 BEN CURRY et al,
10 Defendant.

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
12 Court, Northern District of California.

13 That on May 2, 2013, I SERVED a true and correct copy(ies) of the attached, by placing said
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
15 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
16 receptacle located in the Clerk's office.

17 Earnest C. Woods D 58091
18 P.O. Box 689
19 Soledad, CA 95696

20 Dated: May 2, 2013



Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk

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