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

RAYMOND MANZANILLO,	)	No. C 10-3783 JSW (PR)
	)	
Plaintiff,	)	<b>ORDER GRANTING LEAVE TO</b>
	)	<b>FILE FIRST AMENDED</b>
v.	)	<b>COMPLAINT; ON PENDING</b>
	)	<b>MOTIONS; DIRECTING</b>
FRANCISCO JACQUEZ, R. GRAVES,	)	<b>DEFENDANTS TO SHOW CAUSE</b>
R. TUPY, J. ZUCCO, MARK POTTER,	)	<b>RE. MOTION TO COMPEL</b>
ROLF KLOTZ,	)	
	)	
Defendants.	)	(Docket Nos. 54, 56 – 59)
_____	)	

Plaintiff, a California prisoner proceeding pro se, filed this rights action pursuant to 42 U.S.C. § 1983 against officials of Pelican Bay State Prison, where Plaintiff is incarcerated. The complaint has been ordered served upon Defendants, discovery has been allowed, and dispositive motions have been scheduled. Plaintiff has filed a motion for leave to file a First Amended Complaint (docket number 57), with a proposed First Amended Complaint attached. Good cause appearing, the motion is GRANTED. *See Janicki Logging Co. v. Mateer*, 42 F.3d 561, 566 (9th Cir. 1994) (Federal Rule of Civil Procedure 15(a) is to be applied liberally in favor of amendments and, in general, leave shall be freely given when justice so requires).

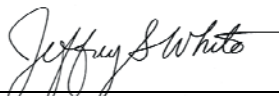
The First Amended Complaint supercedes the original complaint. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir.1992). Thus, Plaintiff’s earlier motion to file a supplement to the original complaint (docket number 54) is DENIED as moot.

1 Furthermore, in responding to the complaint pursuant to the Order of Service dated  
2 January 7, 2011, Defendants shall respond to the First Amended Complaint and disregard  
3 the original complaint.

4 Plaintiff has filed a two motions “regarding the sufficiency of” objections and  
5 answers to his discovery. No such motion is authorized by the Federal Rules of Civil  
6 Procedure or the Local Rules. Consequently, these motions (docket numbers 56 and 58)  
7 are DENIED. Plaintiff may file a motion to compel after he has complied with the “meet  
8 and confer” requirements of Federal Rules of Civil Procedure, which Plaintiff has done  
9 (docket number 59) in a separate motion. Defendants are ORDERED TO SHOW  
10 CAUSE, within **21 days** of the date this order is filed, why the motion to compel should  
11 not be granted.

12 IT IS SO ORDERED.

13 DATED: July 15, 2011

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16 JEFFREY S. WHITE  
17 United States District Judge  
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1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA  
4

5 RAYMOND MANZANILLO,  
6 Plaintiff,

Case Number: CV10-03783 JSW

7 **CERTIFICATE OF SERVICE**

8 v.

9 FRANCISCO JAQUEZ 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 July 15, 2011, 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 Raymond J. Manzanillo  
18 PBSP  
19 P.O. Box 7500  
20 J91574  
21 Crescent City, CA 95532

22 Dated: July 15, 2011



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