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

KEVIN LAMAR HOPKINS,)	No. C 13-0205 JSW (PR)
)	
Plaintiff,)	ORDER OF DISMISSAL WITH
)	LEAVE TO AMEND
v.)	
)	
CONTRA COSTA COUNTY SHERIFF)	
DEPARTMENT; SAM ROSALES;)	
THOMAS NORVELL; SHERIFF DAVID)	
O. LIVINGSTON, et al.,)	
)	
Defendants.)	
_____)	

This case was opened when Plaintiff, an inmate at the Contra Costa County Jail, filed a “motion for injunction and/or further relief.” It is possible that Plaintiff intended to file the motion in his currently pending case against Contra Costa County officials, *Hopkins v. Contra Costa County, et al.*, No. C 12-0813 JSW, but he did not include that case number in the caption of the motion and therefore the Clerk treated the motion as a complaint filed in a new case. If Plaintiff does intend to open a new case, the motion does not suffice as a complaint. The motion alleges that Plaintiff is not receiving orthopedic devices that are medically required, that he is being harassed by jail staff, that false disciplinary charges have been levied against him, and that he has been denied envelopes, paper and postage. He does not identify which of the defendants were


1 involved in these different alleged actions. He also does not allege when these events
2 took place.

3 The complaint is DISMISSED WITH LEAVE TO AMEND. Plaintiff shall file
4 an amended complaint within **thirty (30) days from the date this order is filed**. The
5 amendment must include the caption and civil case number used in this order (No. C 13-
6 0205 JSW (PR)) and the words “COURT-ORDERED FIRST AMENDED
7 COMPLAINT” on the first page. Because an amended complaint completely replaces
8 the original complaint, *see Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir. 1992),
9 Plaintiff may not incorporate material from the original by reference. Failure to amend
10 within the designated time and in accordance with this order will result in the dismissal
11 of this action.

12 If Plaintiff intended to file the motion for injunction in his pending case, he must
13 re-file the motion with the appropriate case number in the caption of the complaint.

14 IT IS SO ORDERED.

15 DATED: May 13, 2013

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

5 KEVIN LAMAR HOPKINS,
6 Plaintiff,

Case Number: CV13-00205 JSW

7 **CERTIFICATE OF SERVICE**

8 v.

9 CONTRA COSTA SHERRIFF DEPT. ET AL
et al,

10 Defendant.
11 _____/

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

13 That on May 13, 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
receptacle located in the Clerk's office.

16
17 Kevin Lamar Hopkins CC12E0189
18 West County Detention Facility
19 5555 Giant Highway
Richmond, CA 94806

20 Dated: May 13, 2013



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