

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FRANKLIN H. WRIGHT,
Plaintiff,
v.
POPS MCGOVERN, et al.,
Defendants.

Case No. [14-cv-05525-RS](#)

**ORDER STRIKING AMENDMENT TO
COMPLAINT**

In response to the prior order dismissing pro se plaintiff Franklin H. Wright’s initial complaint with leave to amend, plaintiff has filed an amendment to the dismissed complaint. This filing must be stricken pursuant to Civil Local Rule 10-1, however, which provides that a party filing or moving to file an amended pleading “must reproduce the entire proposed pleading and may not incorporate any part of a prior pleading by reference,” as plaintiff attempts to do. The Ninth Circuit furthermore has instructed that an amended complaint supersedes the prior complaint, and must be complete unto itself without reference to prior or superseded pleadings. See King v. Atiyeh, 814 F.2d 565, 567 (9th Cir. 1987). If plaintiff wishes to file an amended complaint, it therefore must stand without reference to other pleadings; and must be timely filed according to the prior order granting plaintiff’s request for extension of time (Docket No. 18).

IT IS SO ORDERED.

Dated: February 20, 2015



RICHARD SEEBORG
United States District Judge