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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

EDUARDO NUNEZ,	)	Case No. 09cv413-WQH (BLM)
	)	
Plaintiff,	)	<b>ORDER DENYING PLAINTIFF'S</b>
v.	)	<b>MOTION TO AMEND COMPLAINT</b>
	)	
C/O F. RAMIREZ,	)	[Doc. No. 23]
	)	
Defendant.	)	
_____	)	

On May 19, 2010, Plaintiff, who is proceeding *pro se* and *in forma pauperis* with a Complaint brought pursuant to 42 U.S.C. § 1983, moved for leave to amend. Doc. No. 31. Plaintiff seeks to add two counts and "multiple Defendants" to his Complaint. Id. In support of his motion, Plaintiff stressed "the policy in Rule 15 of 'extreme liberality' in allowing amendments" and he cited case law which mandates liberal construction of *pro se* litigants' pleadings. P. & A. in Supp. of Pl.'s Mot. Plaintiff also submitted a declaration in which he provided a narrative of the events that triggered his initial Complaint. Id.

Pursuant to Rule 15 of the Federal Rules of Civil Procedure, a party may amend its pleading after the opposing party has served a responsive pleading "only with the opposing party's written consent or

1 the court's leave." Fed. R. Civ. P. 15(a)(2). Because Plaintiff did  
2 not provide the Court with a proposed First Amended Complaint "that is  
3 complete in itself without reference to the [previous] pleading" as  
4 required by Civil Local Rule 15.1, Plaintiff's motion is **DENIED WITHOUT**  
5 **PREJUDICE**. If Plaintiff chooses to re-file his motion, he must do so by  
6 or before June 24, 2010 and he must attach as an exhibit a proposed  
7 First Amended Complaint that names and identifies all old and new  
8 defendants and that sets forth all necessary facts and information,  
9 including the necessary information already alleged in the initial  
10 Complaint.

11 **IT IS SO ORDERED.**

12  
13 DATED: May 27, 2010

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15 BARBARA L. MAJOR  
16 United States Magistrate Judge