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7 UNITED STATES DISTRICT COURT
8 SOUTHERN DISTRICT OF CALIFORNIA
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10 WILLIAM RICHARD STROUD, JR.,
11 Plaintiff,
12 v.
13 SHERIFF WILLIAM D. GORE, et al.,
14 Defendants.

Case No.: 18-CV-515-JLS (MDD)

**ORDER GRANTING MOTION TO
FILE AMENDED COMPLAINT**

(ECF No. 13)

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18 Presently before the Court is Plaintiff William Richard Stroud Jr.’s Motion for Leave
19 to File Amended Complaint, (ECF No. 13). Plaintiff filed his original Complaint on March
20 9, 2018. Two defendants moved to dismiss the complaint, (ECF No. 11), on May 18, 2018.
21 Plaintiff filed the present Motion on May 21, 2018.

22 Pursuant to Federal Rule of Civil Procedure 15, a party may amend his complaint
23 once as a matter of course 21 days after service of a responsive pleading. Plaintiff has not
24 previously filed an amended complaint and may therefore file one without leave of court.
25 Plaintiff’s Motion is **GRANTED**.

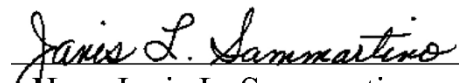
26 It is unclear what amendments Plaintiffs seeks to make, and appears that he will only
27 name the paramedics who “fail[ed] to administer medical assistance to plaintiff.” (ECF
28 No. 13, at 2.) The Court reminds Plaintiff that his Amended Complaint must be complete

1 by itself without reference to his original pleading. Defendants not named and any claim
2 not re-alleged in his Amended Complaint will be considered waived. *See* Civ. L. R. 15.1;
3 *Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d 1542, 1546 (9th Cir. 1989)
4 (“[A]n amended pleading supersedes the original.”); *see also Lacey v. Maricopa Cnty.*, 693
5 F.3d 896, 928 (9th Cir. 2012) (noting that claims dismissed with leave to amend which are
6 not re-alleged in an amended pleading may be “considered waived if not repled.”).

7 Plaintiff may file an amended complaint on or before June 22, 2018.

8 **IT IS SO ORDERED.**

9 Dated: May 24, 2018

10 
11 Hon. Janis L. Sammartino
12 United States District Judge
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