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8   **UNITED STATES DISTRICT COURT**

9   **DISTRICT OF NEVADA**

10

RAYMOND WATISON,

11   #1031835   )
)
12   Plaintiff,   )   2:10-cv-01340-KJD-LRL
)
13 vs.   )
)   **ORDER**
14 INMATE DENTIST,   )
)
15   Defendant.   )
     _____ /

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17   On August 9, 2010, plaintiff submitted a pro se civil rights complaint as well as an

18 application to proceed *in forma pauperis*. Plaintiff's application to proceed *in forma pauperis* is granted

19 (docket #1).

20   On August 30, 2010, plaintiff filed a motion for leave to file an amended complaint

21 (docket #2). Plaintiff's motion is granted. Plaintiff has thirty (30) days from entry of this Order in which

22 to file an amended complaint.

23   Plaintiff is informed that the court cannot refer to a prior pleading in order to make

24 plaintiff's amended complaint complete. Local Rule 15-1 requires that an amended complaint be

25 complete in itself without reference to any prior pleading. This is because, as a general rule, an amended

26 complaint supersedes the original complaint. *See Loux v. Rhay*, 375 F.2d 55, 57 (9th Cir. 1967). Once

plaintiff files an amended complaint, the original pleading no longer serves any function in the case. **Therefore, in an amended complaint, as in an original complaint, each claim and the involvement of each defendant must be sufficiently alleged.**

IT IS THEREFORE ORDERED that plaintiff's application to proceed *in forma pauperis* (docket #1) without having to prepay the full filing fee is **GRANTED**; plaintiff shall not be required to pay an initial installment fee. Nevertheless, the full filing fee shall still be due, pursuant to 28 U.S.C. § 1915, as amended by the Prisoner Litigation Reform Act of 1996. The movant herein is permitted to maintain this action to conclusion without the necessity of prepayment of fees or costs or the giving of security therefor. This order granting *in forma pauperis* status shall not extend to the issuance of subpoenas at government expense.

IT IS FURTHER ORDERED that, pursuant to 28 U.S.C. § 1915, as amended by the Prisoner Litigation Reform Act of 1996, the Nevada Department of Corrections shall pay to the Clerk of the United States District Court, District of Nevada, 20% of the preceding month's deposits to the account of Raymond Watison, **Inmate No. 1031835** (in months that the account exceeds $10.00) until the full $350 filing fee has been paid for this action. The Clerk shall send a copy of this order to the attention of Albert G. Peralta, Chief of Inmate Services for the Nevada Department of Prisons, P.O. Box 7011, Carson City, NV 89702.

IT IS FURTHER ORDERED that, even if this action is dismissed, or is otherwise unsuccessful, the full filing fee shall still be due, pursuant to 28 U.S.C. §1915, as amended by the Prisoner Litigation Reform Act of 1996.

IT IS FURTHER ORDERED that plaintiff's motion for leave to file amended complaint (docket #2) is **GRANTED**.

IT IS FURTHER ORDERED that plaintiff will have **thirty (30) days** from the date that this Order is entered to file his amended complaint. The amended complaint must be a complete document in and of itself, and will supersede the original complaint in its entirety. Any allegations, parties, or requests for relief from prior papers that are not carried forward in the amended complaint

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1 will no longer be before the court.

2   **IT IS FURTHER ORDERED** that plaintiff shall clearly title the amended complaint

3 as such by placing the words "FIRST AMENDED" immediately above "Civil Rights Complaint

4 Pursuant to 42 U.S.C. § 1983" on page 1 in the caption, and plaintiff shall place the case number, **2:10-**

5 **CV-01340-KJD-LRL**, above the words "FIRST AMENDED"in the space for "Case No."

6   **IT IS FURTHER ORDERED** that if plaintiff does not timely file an amended complaint

7 in compliance with this order, this case may be immediately dismissed.

8   **IT IS FURTHER ORDERED** that the Clerk shall send to plaintiff a blank section 1983

9 civil rights complaint form with instructions along with one copy of the complaint submitted August 9,

10 2010 (docket #1-1).

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      DATED this 27th day of October, 2010.

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16   UNITED STATES MAGISTRATE JUDGE

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