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8   **UNITED STATES DISTRICT COURT**

9   **DISTRICT OF NEVADA**

10
RANDY JOHNSON,   )   Case No. 2:14-cv-01326-JCM-NJK
11   )
                        Plaintiff(s),   )   ORDER
12   )
vs.   )   (Docket No. 44)
13   )
JAMES COX, et al.,   )
14   )
                        Defendant(s).   )
15 _____   )

16   Currently pending before the Court is Plaintiff's motion to file a supplemental complaint. Docket

17   No. 44. Defendants filed a response in opposition. Docket No. 47. No reply was filed. The Court finds

18   the motion properly decided without oral argument, *see* Local Rule 78-2, and therefore **VACATES** the

19   hearing previously set for March 7, 2016.

20   Plaintiff's motion is defective in numerous respects. First, the deadline to amend the pleadings

21   expired July 2, 2015 and discovery has been closed since August 3, 2015. Docket No. 16 at 2.

22   Sufficient explanation for not complying with the scheduling order has not been provided. Second,

23   Plaintiff seeks that the new allegations be added to the operative pleading in this case, *see* Docket No.

24   44 at 2-4 (purporting to add "additional facts of the case"), which is improper. *See, e.g.*, *Strong v.*

25   *Woodford*, 428 F. Supp. 2d 1082, 1087 (C.D. Cal. 2006) (an amended pleading must be "complete in

26   itself without reference"); Docket No. 30 at 1 ("The second amended complaint must also be complete

in itself, and should not refer back to any previous complaints or otherwise fail to properly plead each claim that is before the Court"). Third, it appears that the allegations presented relate to new instances of alleged retaliation since the filing of this case, *see, e.g.*, Docket No. 44 at 2 (alleging misconduct "[s]ince Plaintiff's . . . initial 1983 complaints"), but Plaintiff fails to explain why such allegations are properly added to this case rather than being litigated through the initiation of a new case with a separate complaint.

For each of these reasons, the pending motion to file a supplemental complaint is **DENIED** without prejudice.

IT IS SO ORDERED.

DATED: February 24, 2016

NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE