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7   **UNITED STATES DISTRICT COURT**

8   **DISTRICT OF NEVADA**

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10 TYRONE B. HUTCHINS,   )
         #35000   )
11   )
                Plaintiff,   )   3:10-cv-00369-LRH-RAM
12   )
    vs.   )
13   )   **ORDER**
    NEVADA DEPARTMENT OF   )
14 CORRECTIONS, *et al.*,   )
)
15   Defendants.   )
    _____ /

16

17   This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. On January 4,

18 2011, the court granted plaintiff's motion for leave to file an amended complaint and directed that the

19 attached amended complaint be filed (docket #15 and #16).

20   However, the document at #16 only indicates that plaintiff seeks to add parties; it is not

21 a complete amended complaint. Accordingly, plaintiff's "amended complaint" at docket #16 will be

22 dismissed with leave to file a second amended complaint. If plaintiff elects to file an amended

23 complaint, he is advised that he should specifically identify each defendant to the best of his ability,

24 clarify what constitutional right he believes each defendant has violated and support each claim with

25 factual allegations about each defendant's actions.

26

Plaintiff is informed that the court cannot refer to a prior pleading in order to make plaintiff's amended complaint complete. Local Rule 15-1 requires that an amended complaint be complete in itself without reference to any prior pleading. This is because, as a general rule, an amended 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.

III. Conclusion

IT IS THEREFORE ORDERED that plaintiff's amended complaint (docket #16) is **DISMISSED WITH LEAVE TO AMEND**.

IT IS FURTHER ORDERED that plaintiff will have **thirty (30) days** from the date that this Order is entered to file his second amended complaint, if he chooses to do so. The second 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 second amended complaint will no longer be before the court.

IT IS FURTHER ORDERED that plaintiff shall clearly title the amended complaint as such by placing the words "SECOND AMENDED" immediately above "Civil Rights Complaint Pursuant to 42 U.S.C. § 1983" on page 1 in the caption, and plaintiff shall place the case number, **3:10-CV-00369-LRH-RAM**, above the words "SECOND AMENDED" in the space for "Case No."

IT IS FURTHER ORDERED that if plaintiff fails to file a second amended complaint, this action will proceed on the original complaint at docket #6.

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

2 civil rights complaint form with instructions along with one copy of the original complaint and one copy

3 of the amended complaint.

4   DATED: January 11, 2011.

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   UNITED STATES MAGISTRATE JUDGE