

1 supersedes the original"); see also *Lacey v. Maricopa Cnty.*, 693 F.3d 896, 928 (9th Cir. 2012)
2 (holding that for claims dismissed with prejudice, a plaintiff is not required to reallege such
3 claims in a subsequent amended complaint to preserve them for appeal). Plaintiff's amended
4 complaint must contain all claims, defendants, and factual allegations that Plaintiff wishes to
5 pursue in this lawsuit. Moreover, Plaintiff must file the amended complaint on this Court's
6 approved prisoner civil rights form and it must be entitled "First Amended Complaint."

7 The Court notes that if Plaintiff chooses to file an amended complaint curing the
8 deficiencies of the complaint, as outlined in this order, Plaintiff shall file the amended
9 complaint by July 11, 2016. If Plaintiff chooses not to file an amended complaint curing the
10 stated deficiencies, this action shall proceed on the surviving portions of Counts II and V only,
11 as outlined in the Court's original screening order. (See ECF No. 13 at 11-13).

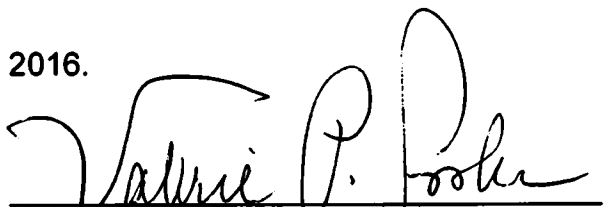
12 **II. CONCLUSION**

13 For the foregoing reasons, IT IS ORDERED that Plaintiff's motion a 30 day enlargement
14 of time to file his first amended complaint (ECF No. 16) is GRANTED. If Plaintiff chooses to
15 file an amended complaint curing the deficiencies of the Complaint as outlined in the Court's
16 original screening order, he shall file the amended complaint by July 11, 2016.

17 IT IS FURTHER ORDERED that if Plaintiff chooses not to file an amended complaint
18 curing the deficiencies of the Complaint, this action shall proceed on the surviving portions of
19 Counts II and V only, as outlined in the Court's original screening order. (See ECF No. 13 at
20 11-13).

21 IT IS FURTHER ORDERED that Plaintiff's motion for order directing clerk to issue
22 summonses for defendants (ECF No. 18) is DENIED.

23
24 DATED: This 14th day of June, 2016.

25
26 
27 United States Magistrate Judge
28