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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

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10 MARK WAYNE CLARK,

11 Plaintiff,

12 v.

13 PAT GLEBE, *et al.*,

14 Defendants.

CASE NO. C10-5203RBL

ORDER DENYING PLAINTIFF'S
MOTION TO AMEND
COMPLAINT

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16 This matter comes before the court on plaintiff's letter to the clerk (Doc. 19) and
17 plaintiff's motion to amend his complaint, (Doc. 20). The court, having reviewed the motion,
18 defendants' opposition, and the balance of the record, does hereby ORDER:
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20 The clerk has received a letter (Doc. 19) from plaintiff, in which plaintiff states concerns
21 regarding the court's pretrial schedule and his ability to conduct discovery in a timely manner.

22 Plaintiff shall note that neither the clerk nor the court can provide legal assistance to a
23 litigant. Letters addressed to the clerk asking for legal advice and clarification of a court order
24 are inappropriate, as is any other form of ex-parte communication with the court. If plaintiff is
25 unclear regarding the meaning of, or seeks relief from, a court order, he should serve, file, and
26 properly note a motion seeking appropriate relief.

1 In the letter plaintiff states the pretrial order was premature, noting that some defendants
2 had not yet appeared in the matter. Plaintiff asks if the schedule can be revoked or postponed.
3 This request is **DENIED**. The parties should work diligently to meet the deadlines set by the
4 court. If the parties are unable to complete discovery within the stated time limit, a motion may
5 be presented at the appropriate time setting forth the reasons why the deadline needs to be
6 extended.
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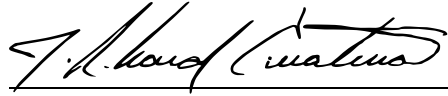
8 Plaintiff's motion to supplement or amend his complaint (Doc. 20) is **DENIED**. Four
9 factors are relevant to whether a motion for leave to amend pleadings should be denied: undue
10 delay, bad faith or dilatory motive, futility of amendment, and prejudice to the opposing party.
11 United States v. Webb, 655 F.2d 977, 980 (9th Cir. 1981). In light of this legal standard, the
12 court finds the proposed amendment would cause undue delay and prejudice to the opposing
13 party.
14

15 The complaint (Doc. 3) alleges certain claims and causes of action against defendants
16 employed at the Stafford Creek Correctional Center and the Spectrum Company, which allegedly
17 operates a program at the correctional facility. The "Supplemental Complaint", attached to the
18 motion to amend, seeks to add additional defendants and claims against individuals employed at
19 Airway Heights Correctional Center, located within the jurisdiction of the U.S. District Court for
20 the Eastern District of Washington.
21

22 After reviewing the record, the undersigned finds insufficient intervening facts or
23 circumstances to support plaintiff's motion to supplement the complaint in this fashion. To
24 allow the additional defendants and claims to be added to the instant matter would cause
25 unnecessary delay and complexity to the case.
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1 The clerk is directed to send copies of this order to plaintiff and counsel for the
2 defendants.

3 DATED this 9th day of September, 2010.
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6 J. Richard Creatura
7 United States Magistrate Judge
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