UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ROBERT E. JOHNSON,

Plaintiff,

v.

SARA DI VITTORIO et al.,

Defendants.

CASE NO. C12-6018 RJB-JRC

ORDER TO FILE AN AMENDED COMPLAINT

This 42 U.S.C. §1983 civil rights matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate Judges Rules MJR 1, MJR 3, and MJR 4.

The Court has granted plaintiff in forma pauperis status. The Court has also screened the proposed complaint (ECF No. 1). Plaintiff alleges that he did not receive a proper response to a state public disclosure request and that assistant attorneys general made misrepresentations to state courts about documents not existing. Plaintiff alleges he later learned that there were documents responsive to his request that he had not received. It is not clear what federal

constitutional right he claims has been violated. Plaintiff names as defendants two state judges and two assistant attorneys general who represented the state in the state court proceedings.

Plaintiff's proposed complaint violates Fed. R. Civ. P. 8(a)(2). A claim for relief must contain "a short and plain statement of the claim showing that the pleader is entitled to relief." The proposed complaint is 33 pages long plus 30 pages of "Exhibits." Plaintiff has also filed a 22 page "memorandum of law" supporting the proposed complaint. The documents contain pages of argument and are not "a short and plain statement of the claim."

The Court orders that plaintiff file an amended complaint using the Court's form for a civil rights action. While the Court will allow plaintiff to attach additional pages, what is required is a short statement setting forth:

1. The Court's jurisdiction,

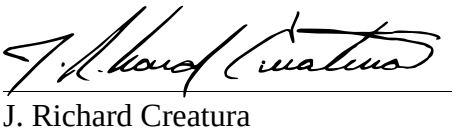
2. A short statement setting forth what each defendant did,

3. A clear short statement setting forth what right or duty plaintiff alleges was violated by each defendant's actions, and

4. A demand for relief.

Plaintiff's "memorandum" in support of a complaint is not allowed under the Federal Rules of Civil Procedure. Plaintiff will title the new complaint "First Amended Complaint." Plaintiff's amended complaint will act as a complete substitute for the original and not as a supplement. Plaintiff's failure to file a first amended complaint on or before January 25, 2013 will result in the Court issuing a Report and Recommendation that this action be dismissed.

Dated this 13th day of December, 2012.



J. Richard Creatura
United States Magistrate Judge