

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ERIC L. HICKS,

Plaintiff,

-vs-

Case No. 16-CV-284

CHARLES FACKTOR, et al.,

Defendants.

DECISION AND ORDER

On March 8, 2015, Eric Hicks filed a *pro se* complaint under 42 U.S.C. § 1983 alleging that his constitutional rights were violated at the Green Bay Correctional Institution. The court screened his complaint on March 31, 2016 and allowed him to proceed with his claims. This matter comes before the court on the plaintiff's motion to amend the complaint to correct factual discrepancies.

The Federal Rules of Civil Procedure allow a plaintiff to amend the complaint once as a matter of course. Fed. R. Civ. P. 15(a)(1)(A). As a result, the plaintiff's motion to amend the complaint is denied as moot. He may file an amended complaint as a matter of course on or before **June 17, 2016**.

The plaintiff is advised that the amended complaint must bear the docket number assigned to this case and must be labeled "Amended

Complaint.” The amended complaint supersedes the prior complaint and must be complete in itself without reference to the original complaint. *See Duda v. Bd. of Educ. of Franklin Park Pub. Sch. Dist. No. 84*, 133 F.3d 1054, 1056-57 (7th Cir. 1998). The “prior pleading is in effect withdrawn as to all matters not restated in the amended pleading[.]” *Id.* at 1057. “Any amendment to a pleading, whether filed as a matter of course or upon a motion to amend, must reproduce the entire pleading as amended, and may not incorporate any prior pleading by reference.” Civil L. R. 15(a).

IT IS THEREFORE ORDERED that the plaintiff’s motion to amend the complaint (ECF No. 10) is **DENIED** as moot. He may file an amended complaint as a matter of course on or before **June 17, 2016**.

Dated at Milwaukee, Wisconsin, this 16th day of May, 2016.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Rudolph T. Randa', written in a cursive style.

HON. RUDOLPH T. RANDA
U.S. District Judge