

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Richard Earl George v. Theresa Cisneros, et al.

George v. Cisneros · No. 1:21-cv-00319 KES GSA (PC) · Decided September 17, 2025

SUMMARY

The United States District Court for the Eastern District of California declined to screen the unrelated claims added in Richard Earl George’s first amended complaint because they changed the nature of the action and involved different events and defendants. The court denied Plaintiff’s motion for a more definite statement and granted him twenty-one days to file a second amended complaint limited to claims related to those in the original complaint.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Gary S. Austin
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 17, 2025
DOCKET	1:21-cv-00319 KES GSA (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, a state prisoner proceeding pro se, filed a first amended complaint after removal of his civil-rights action from state court. The court considered whether the amended complaint improperly added unrelated claims and defendants, and whether plaintiff’s filing styled as a motion for a more definite statement should be treated as an amendment or supplemental pleading.
STANDARD OF REVIEW	Screening under 28 U.S.C. § 1915A, including whether the pleading is frivolous, malicious, fails to state a claim, or seeks relief from an immune defendant; plausibility review under Federal Rule of Civil Procedure 8(a)(2) and Ashcroft v. Iqbal.
PRECEDENTIAL VALUE	Unpublished district-court order; precedential status unknown.
PARTIES	Richard Earl George v. Theresa Cisneros, et al.

TOPICS

PRACTICE AREAS

Prisoner civil rights

Civil procedure

Pleading and amendment

QUESTIONS PRESENTED

1. Whether the first amended complaint improperly changed the nature of the action by adding unrelated claims and defendants in violation of the court's prior screening order and the federal joinder rules.
2. Whether the filing styled as a motion for a more definite statement could be considered as an amendment or supplemental pleading related to the first amended complaint.
3. Whether plaintiff should receive a final opportunity to amend the complaint.

HOLDINGS

1. An amended complaint may not change the nature of the action by adding claims and defendants that are unrelated to the claims in the original complaint. Because the first amended complaint concerned different events, defendants, and alleged constitutional violations, the court declined to consider those newly added claims.
2. The filing styled as a motion for a more definite statement would not be considered as an amendment or supplemental pleading because the additional allegations were related to claims the court had already declined to consider in the first amended complaint and were therefore moot.
3. Plaintiff was granted a final opportunity to file an amended complaint, which must be complete in itself and may raise only claims related to those in the original complaint.

KEY QUOTATIONS

"Because the FAC alleges new and different claims against new and different defendants, it violates the Court's screening order. New claims in the FAC that differ from those alleged in the original complaint must be brought in a separate suit." (at 4)

"An amended complaint must identify as a defendant only persons who personally participated in a substantial way in depriving plaintiff of a federal constitutional right." (at 7)

"Any amended complaint should observe the following. An amended complaint must identify as a defendant only persons who personally participated in a substantial way in depriving plaintiff of a federal constitutional right." (at 7)

FACTUAL BACKGROUND

Plaintiff's original complaint concerned alleged unconstitutional conditions of confinement at the California Substance Abuse Treatment Facility, including building deterioration, fire hazards, asbestos, inadequate ventilation, and mold or mildew. After the court found the original complaint insufficient but granted leave to amend, plaintiff filed a first amended complaint asserting different claims arising in April 2025 involving denial of bottled water, alleged medical needs, and disability accommodations, and naming additional defendants.

Plaintiff later filed a motion for a more definite statement that included further allegations concerning medical care, elevated blood pressure, and bottled water.

PROCEDURAL HISTORY

Plaintiff's original complaint was removed from the Kings County Superior Court to the Eastern District of California. The court previously screened the original complaint and found that it failed to state a claim, granting plaintiff leave to amend and instructing him not to add unrelated claims. Plaintiff then filed a first amended complaint asserting claims concerning bottled water, medical equipment, and medical needs, followed by a motion for a more definite statement containing additional allegations. The court declined to consider the improperly added claims, denied the motion, and granted plaintiff a final opportunity to file an amended complaint within twenty-one days.

DISPOSITION

other

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)
- Whitaker v. Tesla Motors, Inc., 985 F.3d 1173, 1176 (9th Cir. 2021)
- Doe I v. Wal-Mart Stores, Inc., 572 F.3d 677, 681 (9th Cir. 2009)
- Moss v. United States Secret Service, 572 F.3d 962, 969 (9th Cir. 2009)
- Lacey v. Maricopa County, 693 F.3d 896, 925 (9th Cir. 2012)
- Johnson v. Duffy, 588 F.2d 740, 743 (9th Cir. 1978)
- George v. Smith, 507 F.3d 605, 607 (7th Cir. 2007)
- Loux v. Rhay, 375 F.2d 55, 57 (9th Cir. 1967)