

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

ROBERT F. ROBBS,
Plaintiff,

v.

WARDEN CHAPDELAINÉ, et al.,
Defendants.

CASE NO. 3:17-cv-923 (VAB)

ORDER REGARDING AMENDED COMPLAINT

Robert F. Robbs (“Plaintiff”), currently incarcerated at MacDougall-Walker Correctional Institution in Suffield, Connecticut, brought his initial Complaint *pro se* under 42 U.S.C. § 1983 (“Section 1983”) on June 5, 2017. ECF No. 1. He asserts claims for deliberate indifference to his serious medical needs against Warden Chapdelaine, CTO Davis and PA Kevin McCrystal (collectively, the “Defendants”). On June 15, 2017, Mr. Robbs filed an Amended Complaint included only allegations regarding events subsequent to the allegations in the original Complaint, omitting all allegations in the original Complaint. ECF No. 7.

An amended complaint completely replaces the original complaint. *See Arce v. Walker*, 139 F.3d 329, 332 n.4 (2d Cir. 1998) (declining to consider claims or allegations raised only in a former version of a complaint and “not realleged or incorporated into the amended complaint”); *Int'l Controls Corp. v. Vesco*, 556 F.2d 665, 668 (2d Cir. 1977) (“It is well established that an amended complaint ordinarily supersedes the original and renders it of no legal effect.”). If the Court were to apply this rule here, all claims in Mr. Robb’s original Complaint would be deemed abandoned, as none appear to be included in his Amended Complaint. Because it is not clear whether this is Mr. Robbs’ intention, the Court will afford him an opportunity to file a second

amended complaint.

Mr. Robb is hereby directed to file a second amended complaint that lists all defendants in the case caption and includes all claims he intends to pursue in this action. The second amended complaint shall allege facts demonstrating how each defendant violated Mr. Robbs' constitutional rights. **The new amended complaint shall be filed by August 11, 2017.** If no new amended complaint is filed within the time specified, the case will proceed only on the claim in the Amended Complaint, ECF No. 7

SO ORDERED at Bridgeport, Connecticut, this 11th day of July, 2017.

/s/ Victor A. Bolden
Victor A. Bolden
United States District Judge