

**NOT PRECEDENTIAL**

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 23-2156

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AARON J. BRESSI; L.B.; B.B.; M.B.

v.

NORTHUMBERLAND COUNTY, Children and Youth Services; ADELPHOI VILLAGE, Minor Child Placement Center; DEPARTMENT OF HUMAN SERVICES, B.H.A.; COMMONWEALTH COURT OF PENNSYLVANIA, State Court (Agency); SUPREME COURT OF PENNSYLVANIA, State Court (Highest); TIMOTHY SPARTA-PANARESE, Northumberland County C.Y.S.; KATHY HOLLABAUGH, Northumberland County C.Y.S.; ANN TARGONSKI, Northumberland County C.Y.S.; DONULUS SCHANTZ, Northumberland County C.Y.S.; YUN SCHANTZ, Northumberland County C.Y.S.; JUDGE CHARLES SAYLOR, Northumberland County Court; JUDGE HUGH JONES, Northumberland County Court; TYLER KOPTA, Adelphoi Village; HANEY WAHBA, Adelphoi Village; WENDY SUTHERLAND, Adelphoi Village; JACOB HERZING, Department of Human Services B.H.A.; JUSTIN KOHR, Department of Human Services B.H.A.; NORTHUMBERLAND COUNTY COURT, State Court (County); ELIZABETH A. MCNALLY, Department of Human Services B.H.A.; CHARLES G. BRACE, ESQ., Department of Human Services B.H.A.; DAVID A. DUDLEY, Department of Human Services B.H.A.; MICHAEL KRIMMEL, ESQ., (Prothonotary) Commonwealth Court of Pennsylvania; AMY DREIBELBIS, ESQ., (Prothonotary) Supreme Court of Pennsylvania; ELIZABETH E. ZISK, (Chief Clerk) Supreme Court of Pennsylvania

Aaron J. Bressi  
Appellant

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On Appeal from the United States District Court  
for the Middle District of Pennsylvania  
(D.C. Civil Action No. 4:22-cv-01776)  
District Judge: Honorable Christopher C. Conner

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Submitted Pursuant to Third Circuit LAR 34.1(a)

December 21, 2023  
Before: KRAUSE, MATEY, and CHUNG, Circuit Judges

(Opinion filed: December 22, 2023)

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OPINION\*

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PER CURIAM

Aaron J. Bressi appeals pro se from an order of the United States District Court for the Middle District of Pennsylvania that sua sponte dismissed his complaint for failure to comply with Rule 8(a) of the Federal Rules of Civil Procedure. We will affirm.

In November 2022, Bressi filed a civil rights complaint on behalf of himself and his children (ECF 1), which he later amended. (ECF 18.) A Magistrate Judge issued an order stating that the amended complaint “contains almost nothing in the way of factual allegations” and noting that Bressi could not represent his children. (ECF 21, at 1, 12-13.) The Magistrate Judge provided leave for Bressi to file another amended complaint. (Id. at 1-2.)

Bressi filed a second amended complaint (ECF 33), but the Magistrate Judge recommended dismissal for failure to comply with the pleading requirements of Federal Rule of Civil Procedure 8 and “fail[ure] to state a claim upon which relief may be granted” under 28 U.S.C. § 1915A. (ECF 37, at 2.) In particular, the Magistrate Judge determined that the “Second Amended complaint is devoid of any factual matter

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\* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

describing the alleged wrongs” and observed that “[n]othing about [Bressi’s] Second Amended Complaint gives the Court reason to believe he could make out any of the elements of any of his claims against any of his Defendants.” (Id. at 15, 17.) Because the second amended complaint “suffer[ed] from the same deficiencies” as the first amended complaint, the Magistrate Judge concluded that granting “another leave to amend would be futile.” (Id. at 18-19.)

Over Bressi’s objections (ECF 40), the District Court adopted the Report and Recommendation and denied as moot Bressi’s motions to indefinitely stay the case and for reconsideration. (ECF 48 & 49.) The District Court stated that Bressi “continues to flout federal pleading standards” by submitting a “bare-bones pleading” that “includes no factual allegations whatsoever.” (ECF 48, at 2-3.) Thus, the District Court agreed with the Magistrate Judge that “Bressi’s second amended complaint violates Rule 8(a) and fails to state a claim for which relief may be granted.” (Id. at 3.) Bressi timely appealed.<sup>1</sup> (ECF 50.)

The District Court did not abuse its discretion in concluding that the second amended complaint failed to comply with the requirements of Rule 8, see Garrett v. Wexford Health, 938 F.3d 69, 91 (3d Cir. 2019), and did not err in dismissing the complaint for failure to state a claim. See Dooley v. Wetzel, 957 F.3d 366, 373 (3d Cir. 2020). To avoid dismissal, “a complaint must contain sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.” Talley v. Wetzel, 15 F.4th

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<sup>1</sup> We have jurisdiction pursuant to 28 U.S.C. § 1291.

275, 286 n.7 (3d Cir. 2021) (citation and quotation marks omitted). Rule 8 requires “a short and plain statement of the claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a)(2). Whether the “short and plain statement” requirement is satisfied “is a context-dependent exercise.” W. Penn Allegheny Health Sys., Inc. v. UPMC, 627 F.3d 85, 98 (3d Cir. 2010). “Fundamentally, Rule 8 requires that a complaint provide fair notice of what the claim is and the grounds upon which it rests.” Garrett, 938 F.3d at 92 (cleaned up). Although we must liberally construe pro se litigants’ pleadings, Rivera v. Monko, 37 F.4th 909, 914 (3d Cir. 2022), such litigants “must still allege sufficient facts in their complaint to support a claim.” Mala v. Crown Bay Marina, Inc., 704 F.3d 239, 245 (3d Cir. 2013).

Even construing Bressi’s allegations liberally, we agree with the District Court that he did not meet the basic pleading requirements. In the statement of facts, Bressi claimed only that “all defendants caused me and my children ... major intentional infliction of emotions distress.” (ECF 33, at 7.) He also indicated that the events giving rise to his claims occurred at an address in Coal Township, Pennsylvania and at SCI-Rockview. (Id.) In the “Legal Claims” section of his complaint, Bressi simply lists “retaliation,” “due process,” “government negligence,” “medical malpractice,” and “medical negligence.” (Id. at 8.) For each of those claims, Bressi wrote “(see) court ordered/remanded records,” and he directed the District Court to examine docket sheets attached to his second amended complaint. (Id. at 8-9.) He attached two such docket sheets, one from the Commonwealth Court of Pennsylvania and one from the Pennsylvania Supreme Court. (ECF 33-1, at 2-6; 8-10.) The rest of the exhibits to the

second amended complaint consist of: (1) Pennsylvania Department of Corrections Inmate's Request to Staff Member forms pertaining to the scheduling of a hearing (id. at 12-13); (2) correspondence with the Pennsylvania Department of Human Resources (id. at 14-18), and (3) health records pertaining to a minor, presumably Bressi's child (ECF 33-2, at 2-153.) Bressi did not explain how any of this material relates to his claims, and a District Court is not obligated to discern claims from exhibits attached to a complaint. Cf. DeSilva v. DiLeonardi, 181 F.3d 865, 867 (7th Cir. 1999) ("A brief must make all arguments accessible to the judges, rather than ask them to play archaeologist with the record."). As relief, Bressi asked for compensatory damages and that "all defendants [be] removed from their government job titles for life." (ECF 33, at 8.)

Because none of this adds up to the kind of information necessary to satisfy Rule 8 or state a plausible claim for relief, we will affirm the District Court's dismissal of the second amended complaint.<sup>2</sup>

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<sup>2</sup> There is also no indication that the District Court erred in denying Bressi's motion to indefinitely stay the case and for reconsideration.