

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

MAY - 4 2009

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

DERIAN DOUGLAS HICKMAN)
)
Plaintiff,)
)
v.)
)
THE DEPARTMENT OF COMMERCE,)
)
Defendant.)

Civil Action No. **09 0816**

MEMORANDUM OPINION

This matter comes before the court on review of plaintiff's application to proceed *in forma pauperis* and *pro se* civil complaint. The court will grant the application, and dismiss the complaint.

The Court has reviewed plaintiff's complaint, keeping in mind that a complaint filed by a *pro se* litigant is held to a less stringent standard than is applied to a formal pleading drafted by a lawyer. *See Haines v. Kerner*, 404 U.S. 519, 520 (1972). Even *pro se* litigants, however, must comply with the Federal Rules of Civil Procedure. *Jarrell v. Tisch*, 656 F. Supp. 237, 239 (D.D.C. 1987). Rule 8(a) of the Federal Rules of Civil Procedure requires that a complaint contain a short and plain statement of the grounds upon which the court's jurisdiction depends, a short and plain statement of the claim showing that the pleader is entitled to relief, and a demand for judgment for the relief the pleader seeks. Fed. R. Civ. P. 8(a). The purpose of the minimum standard of Rule 8 is to give fair notice to the defendants of the claim being asserted, sufficient to prepare a responsive answer, to prepare an adequate defense and to determine whether the doctrine of *res judicata* applies. *Brown v. Califano*, 75 F.R.D. 497, 498 (D.D.C. 1977).

The sole factual allegation set forth in the complaint is that plaintiff has not received

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“filings or payments” from the United States Patent and Trademark Office. Compl. Without stating a basis for the claim, plaintiff seeks an award of at least \$500 million for “royalties . . . , also previous tax information from royalties and taxes paid, copys [sic] of all trademark filings, copyright filings, patent filings.” *Id.*

As drafted, the complaint fails to comply with Rule 8(a) and, therefore, the pleading will be dismissed without prejudice. An Order consistent with this Memorandum Opinion is issued separately.



United States District Judge

Date: April 22, 2009