

FILED

JUL 23 2012

Clerk of the District Court
United States District Court of Columbia

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ZACK McCAIN,)
)
Plaintiff,)
)
v.)
)
UNITED STATES OF AMERICA, *et al.*,)
)
Defendants.)

Civil Action No. **12 1214**

MEMORANDUM OPINION

This matter is before the Court on consideration of the plaintiff's application to proceed *in forma pauperis* and *pro se* complaint. The application will be granted, and the complaint will be dismissed.

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 defendant 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).

Notwithstanding the 336 numbered paragraphs of the plaintiff's complaint, the pleading utterly fails to make a short and plain statement of his claim showing that the plaintiff is entitled to the relief he demands. Rather, the complaint reads as a rambling statement of the plaintiff's observations on the treatment of African American citizens in the United States and the residual consequences of his criminal conviction. As drafted, the plaintiff's complaint fails to comply


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with Rule 8(a). Accordingly, the complaint will be dismissed without prejudice. An Order consistent with this Memorandum Opinion is issued separately.

DATE:

7/16/12



United States District Judge