NONPRECEDENTIAL DISPOSITION
To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

Submitted April 13, 2023*
Decided April 21, 2023

Before

FRANK H. EASTERBROOK, *Circuit Judge*

DIANE P. WOOD, *Circuit Judge*

THOMAS L. KIRSCH II, *Circuit Judge*

No. 22-1795

SELEPRI S. AMACHREE,
Plaintiff-Appellant,

v.

MERRICK B. GARLAND,
Attorney General of the United States, et al.,
Defendants-Appellees.

Appeal from the United States District Court for the Eastern District of Wisconsin.

No. 19-cv-1772-bhl

Brett H. Ludwig,
Judge.

O R D E R

The confusing facts of this case relate to the arrest and detention of Selepri Amachree in connection with a stayed immigration removal order. Amachree sued local and federal defendants for various civil-rights violations. The district court

* After examining the record, we have agreed to decide this case without oral argument because the appeal is frivolous. *See* FED. R. APP. P. 34(a)(2)(A).

dismissed Amachree's complaint for failing to comply with Rule 8(a) of the Federal Rules of Civil Procedure. We affirm.

Because of a drug conviction in 2001, Amachree, a lawful permanent resident originally from Liberia, was placed in immigration removal proceedings and deemed subject to removal. After Amachree appealed unsuccessfully to the Board of Immigration Appeals, he petitioned this court for review. We stayed the removal order during the pendency of the proceedings. In 2007, we remanded the case to the Board for further consideration in light of *Lopez v. Gonzales*, 127 S. Ct. 625 (2006), which held that simple possession does not qualify as an aggravated felony under the Immigration and Nationality Act. See *Amachree v. Gonzales*, No. 05-4055 (7th Cir. Feb. 7, 2007). Over the next decade the Board did not act on the case, and Amachree took no step to expedite matters. In 2017, he was arrested and detained by Immigration and Customs Enforcement. Six months later, an immigration judge granted Amachree relief from removal and ordered his release from custody.

About a year and a half later, Amachree brought a sprawling complaint in the Northern District of Illinois against state and federal officials under various laws and statutes, including the Federal Tort Claims Act, 28 U.S.C. § 2674, and *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971). The case was later transferred to the Eastern District of Wisconsin. There, the district court granted the defendants' motion to dismiss the complaint for failure to comply with Rule 8(a) of the Federal Rules of Civil Procedure. The court granted Amachree leave to amend his complaint.

Five days after the court's deadline, Amachree filed a rambling, meandering amended complaint in two parts. All the defendants filed motions to dismiss the complaint. Amachree responded timely to one motion, 48 days late to another, 76 days late to the third, and never responded to the fourth.

The district court granted the defendants' motion to dismiss and dismissed the case with prejudice. The court explained that the complaint's "persistent verbosity" and "incoherence" violated Rule 8(a). Amachree's first attempt at writing a complaint was a "long and confusing mess" and his second attempt was "a step backward."

On appeal, Amachree baldly disagrees with the court's analysis of Rule 8(a) and insists that the complex nature of his case requires extensive discussion to be

comprehensible. But the court acted well within its discretion[1] in dismissing his complaint. Rule 8 requires a complaint to contain a "short and plain statement of the claim showing that the pleader is entitled to relief," and Amachree's narrative—prolix, digressive, and full of irrelevant details—is unintelligible. "The dismissal of a complaint on the ground that it is unintelligible is unexceptionable." *United States ex rel. Garst v. Lockheed-Martin Corp.*, 328 F.3d 374, 378 (7th Cir. 2003) (internal quotation omitted).

Amachree also argues the district court erred by dismissing his complaint without giving him a chance to amend it again. But a court need not allow amendment if doing so would be futile. *Always Towing & Recovery, Inc. v. City of Milwaukee*, 2 F.4th 695, 707 (7th Cir. 2021). Amachree's first attempt at amendment came nowhere close to curing his complaint's deficiencies, and the court rightfully decided that prolonging the case further would be useless.

We close with a note on the performance of Amachree's counsel, John Gorby. The district court reprimanded Gorby for practice unacceptable for a licensed attorney, including his "almost complete disregard for basic pleading standards and Court-ordered deadlines." Gorby repeatedly failed to comply with the court's deadlines and basic instructions, and similar deficiencies mar his performance in this court. He not only failed to file a coherent brief but also had to be reminded twice to file an adequate jurisdictional statement, and technical mistakes necessitated that he refile his briefs. We order Gorby to show cause within 21 days why he should not be removed or suspended from the bar of this court or otherwise disciplined under Rule 46(b) or (c) of the Federal Rules of Appellate Procedure. We also direct the clerk of this court to send a copy of this opinion to the Attorney Registration and Disciplinary Commission of Illinois for any action it deems appropriate.

AFFIRMED

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[1] Amachree argues that our review of a dismissal order is de novo, but a dismissal under Rule 8(a) is reviewed for an abuse of discretion because that standard relates to the management of litigation. See *Stanard v. Nygren*, 658 F.3d 792, 797 (7th Cir. 2011) (citing *Davis v. Ruby Foods, Inc.*, 269 F.3d 818, 820 (7th Cir. 2001)).