

DEC 31 2013

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JEROME RENE ROBINSON,

Plaintiff - Appellant,

v.

HOWARD SAXE; et al.,

Defendants - Appellees.

No. 12-55273

D.C. No. 2:11-cv-04289-ODW-RZ

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Otis D. Wright, II, District Judge, Presiding

Submitted December 17, 2013**

Before: GOODWIN, WALLACE, and GRABER, Circuit Judges.

Jerome Rene Robinson appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging federal and state law claims for failure to provide a short and plain statement of his claims under Federal Rule of Civil Procedure 8. We have jurisdiction under 28 U.S.C. § 1291. We review de

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

novo. *Barren v. Harrington*, 152 F.3d 1193, 1194 (9th Cir. 1998) (order) (dismissal under 28 U.S.C. § 1915(e)); *Dominguez v. Miller*, 51 F.3d 1502, 1508 n.5 (9th Cir. 1995) (dismissal under Fed. R. Civ. P. 8). We affirm.

The district court properly dismissed Robinson's action after giving Robinson two opportunities to amend because his second amended complaint was lengthy and overly detailed, included fifty-three claims, and named more than a dozen supervisory defendants who were not alleged to have personally participated in the alleged violations. *See* Fed. R. Civ. P. 8(a) (stating that a complaint must contain a "short and plain statement" of the grounds for the court's jurisdiction and the claims for relief); *McHenry v. Renne*, 84 F.3d 1172, 1178-79 (9th Cir. 1996) (Rule 8 is an independent ground for dismissal and, regardless of the merits of the allegations, requires each averment of a pleading to be simple, concise, and direct in stating which defendant is liable to the plaintiff for which wrong).

We reject Robinson's contentions regarding the district court's failure to identify defects in any one of his claims or assess them on the merits; consider the importance of his facial challenges, including on behalf of others; and specifically address the magistrate judge's recommendation or his objections to the same.

AFFIRMED.