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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Eva Gold,)	
)	
Plaintiff,)	No. CIV 04-1179 PCT RCB
)	
vs.)	O R D E R
)	
Antonio Chavez Hernandez,)	
)	
Defendant.)	
)	

On June 8, 2004, Plaintiff Eva Gold filed a Complaint in this matter. (doc. 1). On December 29, 2004, Plaintiff filed a document entitled "None Compliant Repeat Offenders" which the Court construed to be an Amended Complaint, filed in accordance with Federal Rule of Civil Procedure 15(a). (doc. 13).¹ Neither Plaintiff's Complaint or Amended Complaint comply with Rule 8(a) of the Federal Rules of Civil Procedure. Before this matter can

¹ On numerous documents filed by Plaintiff in this Court, Plaintiff lists Arizona Bar numbers 108, 109 and 110 for Eva Gold (or Gutte), Mark Joseph Golden Gutte and Tony Golden Gutte. The Court takes judicial notice that these bar numbers do not exist.

1 proceed, Plaintiff must amend her Amended Complaint to comply with
2 Rule 8(a).

3 Rule 8(a) provides in pertinent part that:

4 A pleading which sets forth a claim for relief,
5 whether an original claim, counterclaim, cross-
6 claim, or third-party claim shall contain (1) a
7 short and plain statement of the grounds upon
8 which the court's jurisdiction depends, unless
9 the court already has jurisdiction and the claim
10 needs no new grounds of jurisdiction to support
11 it, (2) a short and plain statement of the claim
12 showing that the pleader is entitled to relief,
13 and (3) a demand for judgment for the relief the
14 pleader seeks. Relief in the alternative or of
15 several different types may be demanded.

16 Fed.R.Civ.P. 8(a). A pro se complaint, however inartfully pleaded,
17 must be held to less stringent standards than formal pleadings
18 drafted by lawyers. Estelle v. Gamble, 429 U.S. 97, 106 (1976).
19 Before a district court may dismiss a pro se complaint for failure
20 to state a claim, a court must provide the pro se litigant with
21 notice of the deficiencies of his or her complaint and an
22 opportunity to amend the complaint prior to dismissal. McGurkin v.
23 Smith, 974 F.2d 1050, 1055 (9th Cir. 1992).

24 Plaintiff's Amended Complaint does not satisfy the "short and
25 plain statement" required of Rule 8(a). Moreover, the Amended
26 Complaint does not allege the statutory basis for the Court's
27 limited jurisdiction, i.e. 28 U.S.C. § 1331 (federal question) or
28 U.S.C. § 1332 (diversity of citizenship). Therefore, the Court
29 will order Plaintiff to amend her Amended Complaint in accordance
30 with Rule 8(a).

31 The Court is apprised that by Order of April 15, 2005, the
32 Superior Court of Coconino County found that Plaintiff suffers from
33 a mental disorder, namely Delusional Disorder, and committed her to

1 The Guidance Center for a period of up to 180 days.

2 Accordingly,

3 IT IS ORDERED that within 30 days of any discharge pursuant to
4 the Order of the Superior Court of Coconino County dated April 15,
5 2005, or on November 14, 2005, whichever first occurs, Plaintiff
6 shall file a Second Amended Complaint in compliance with Rule 8(a)
7 of the Federal Rules of Civil Procedure and Rule of Practice 1.9,
8 which specifies the Court's jurisdictional basis therein, clarifies
9 the statute(s) upon which Plaintiff is relying to support her
10 claim(s), names the defendant(s) therein she believes are
11 appropriate, provides a short and plain statement of the claim
12 showing that Plaintiff is entitled to relief, and demands judgment
13 for the relief Plaintiff seeks.

14 IT IS FURTHER ORDERED that failure to comply with these Orders
15 may result in the dismissal of Plaintiff's Complaint without
16 prejudice, pursuant to Federal Rule of Civil Procedure 41.

17 IT IS FURTHER ORDERED directing the Clerk of the Court to
18 provide the Plaintiff with a copy of "Filing A Complaint In Your
19 Own Behalf."

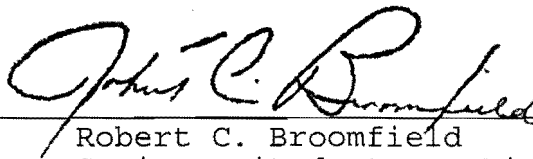
20 DATED this 27th day of April, 2005.

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Robert C. Broomfield
Senior United States District Judge

25 Copies to counsel of record

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