

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-01265-BNB

COLLEEN J. PRIEBE,

Plaintiff,

v.

FORMER PRESIDENT BUSH,
FORMER VICE-PRESIDENT CHANEY,
FORMER SEC. OF DEFENSE DONALD RUMSFELD,
FORMER DIRECTOR OF CIA GEORGE TENT,
FORMER U.S. ATTORNEY GENERAL ASHCROFT,
FORMER U.S. ATTORNEY GENERAL GONZALES, and
GOVERNOR RITTER OF COLORADO,

Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO

JUN -3 2009

GREGORY C. LANGHAM
CLERK

ORDER DIRECTING PLAINTIFF TO FILE AMENDED COMPLAINT

Plaintiff, Colleen J. Priebe, initiated this action by filing a *pro se* Complaint. Ms. Priebe's Complaint, however, does not comply with the pleading requirements of Rule 8 of the Federal Rules of Civil Procedure. The twin purposes of a complaint are to give the opposing parties fair notice of the basis for the claims against them so that they may respond and to allow the court to conclude that the allegations, if proven, show that Ms. Priebe is entitled to relief. **See *Monument Builders of Greater Kansas City, Inc. v. American Cemetery Ass'n of Kansas***, 891 F.2d 1473, 1480 (10th Cir. 1989). The requirements of Fed. R. Civ. P. 8 are designed to meet these purposes. **See *TV Communications Network, Inc. v. ESPN, Inc.***, 767 F. Supp. 1062, 1069 (D. Colo. 1991), *aff'd*, 964 F.2d 1022 (10th Cir. 1992). Specifically, Rule 8(a) provides that a complaint "must contain (1) a short and plain statement of the grounds for the court's

jurisdiction . . . ; (2) a short and plain statement of the claim showing that the pleader is entitled to relief; and (3) a demand for the relief sought” The philosophy of Rule 8(a) is reinforced by Rule 8(d)(1), which provides that “[e]ach allegation must be simple, concise, and direct.” Taken together, Rules 8(a) and (d)(1) underscore the emphasis placed on clarity and brevity by the federal pleading rules. Prolix, vague, or unintelligible pleadings violate the requirements of Rule 8.

Ms. Priebe fails to set forth a short and plain statement of proper jurisdiction and claims showing that she is entitled to relief. Ms. Priebe’s claims are rambling and unintelligible. Therefore, Ms. Priebe will be directed to file an Amended Complaint that complies with the pleading requirements of Rule 8. Ms. Priebe is reminded that it is her responsibility to present her claims in a manageable format that allows the Court and Defendants to know what claims are being asserted and to be able to respond to those claims.

Ms. Priebe is instructed that to state a claim in this Court she must state with specificity what each named defendant did to her, when they did it, how their action harmed her, and what specific legal right they violated. ***Nasious v. Two Unknown B.I.C.E. Agents***, 492 F.3d 1158, 1163 (10th Cir. 2007).

Furthermore, to the extent that Ms. Priebe is asserting claims against Defendants who reside in other states and for acts that took place in other states, this Court lacks proper venue to review the claims. Under 28 U.S.C. § 1391, the statute that provides for venue, paragraph (b) states that:

A civil action wherein jurisdiction is not founded solely on diversity of citizenship may, except as otherwise provided by law, be brought only in (1) a judicial district where any

defendant resides, if all defendants reside in the same State, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant is subject to personal jurisdiction at the time the action is commenced, if there is no district in which the action may otherwise be brought.

Therefore, such claims are not properly before this Court and are subject to *sua sponte* dismissal. *See Trujillo v. Williams*, 465 F.3d 1210, 1217 (10th Cir. 2006).

Accordingly, it is

ORDERED that Ms. Priebe file **within thirty days from the date of this Order** an Amended Complaint that complies with this Order. It is

FURTHER ORDERED that the Clerk of the Court mail to Ms. Priebe, together with a copy of this Order, two copies of the Court-approved form used for filing a *pro se* Complaint. It is

FURTHER ORDERED that if Ms. Priebe fails within the time allowed to file an Amended Complaint, as directed, the action will be dismissed without further notice.

DATED June 3, 2009, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

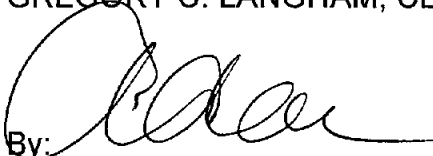
CERTIFICATE OF MAILING

Civil Action No. 09-cv-01265-BNB

Colleen J. Priebe
980 Grant #401
Denver, CO 80203

I hereby certify that I have mailed a copy of the **ORDER** and **two copies of the Complaint form** to the above-named individuals on 6/3/09

GREGORY C. LANGHAM, CLERK



By: _____

Deputy Clerk