

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-01359-BNB

ABDALLA AHMED,

Plaintiff,

v.

HSS SECURITY,

Defendant.

FILED  
UNITED STATES DISTRICT COURT  
DENVER, COLORADO

JUN 15 2010

GREGORY C. LANGHAM  
CLERK

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ORDER DIRECTING PLAINTIFF TO FILE AMENDED COMPLAINT

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Plaintiff, Abdalla Ahmed, has filed *pro se* a Title VII Complaint. The Court must construe the Title VII Complaint liberally because Mr. Ahmed is not represented by an attorney. *See Haines v. Kerner*, 404 U.S. 519, 520-21 (1972); *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991). However, the Court should not be an advocate for a *pro se* litigant. *See Hall*, 935 F.2d at 1110. For the reasons stated below, Mr. Ahmed will be ordered to file an amended complaint.

The Court has reviewed the Title VII Complaint and has determined that the Title VII Complaint is deficient because it 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 the plaintiff 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.

Mr. Ahmed fails to provide a short and plain statement of his claims showing that he is entitled to relief. Mr. Ahmed has checked a variety of blanks on the preprinted Title VII Complaint form indicating that Defendant discriminated against him based on race, color, religion, and national origin by harassment and demotion or discharge from employment. However, Mr. Ahmed fails to assert any facts in support of these vague and conclusory allegations that indicate he is entitled to relief. Although Mr. Ahmed attaches to his Title VII Complaint a copy of a Final Decision of the Equal Employment Opportunity Commission rejecting his administrative claim, that decision does not provide the Court with the factual basis for the claims Mr. Ahmed is asserting in this action.

Therefore, Mr. Ahmed will be ordered to file an amended complaint if he wishes to pursue his claims in this action. Mr. Ahmed is advised that he must provide a short

and plain statement of his claims that allows the Court and Defendant to understand what he is claiming in this action and to be able to respond to those claims.

Accordingly, it is

ORDERED that Mr. Ahmed file, **within thirty (30) days from the date of this order**, an amended complaint that complies with the pleading requirements of Fed. R. Civ. P. 8 as discussed in this order. It is

FURTHER ORDERED that the clerk of the court mail to Mr. Ahmed, together with a copy of this order, two copies of the following form: Title VII Complaint. It is

FURTHER ORDERED that, if Mr. Ahmed fails within the time allowed to file an amended complaint that complies with this order to the court's satisfaction, the action will be dismissed without further notice.

DATED June 15, 2010, 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. 10-cv-01359-BNB

Abdalla Ahmed  
6825 E. Cliff Ave. Apt 304  
Denver, CO 80224

I hereby certify that I have mailed a copy of the **ORDER and two copies of the Title VII Complaint** to the above-named individuals on 6/15/10

GREGORY C. LANGHAM, CLERK

By: 

Deputy Clerk