

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-02708-WYD-KLM

USA,

Plaintiff,

v.

NANCY D. BERRYMAN,
THE TEMPLE OF THE UNVEILED GOD, and
THE OFFICE OF THE OVERSEER OF DEDICATION TO ENLIGHTENMENT, and her
successors, a corporation sole,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Defendant Nancy D. Berryman's **Motion to Strike All of Plaintiff's Pleadings Pursuant to Federal Rules of Civil Procedure, Rule 12(f) Nunc Pro Tunc and Motion to Set for Hearing of Motion to Strike** [Docket No. 69; Filed May 20, 2013] (the "Motion"). Defendant Berryman appears to ask the Court to strike the Complaint [#1; Filed October 18, 2011] because it "contains no Affidavit and Complaint by a competent fact witness attesting facts that would commence an action against Alleged Defendants NANCY D. BERRYMAN, Et al." [sic] *Motion* [#69] at 2. Defendant Berryman further argues that "[t]he Sham Pleading contain[s] no allegations within its four corners which could be construed to be admissible evidence in an action, pursuant to the Federal Rules of Evidence." *Id.*

Pursuant to Fed. R. Civ. P. 8(a), "[a] pleading that states a claim for relief," such as the Complaint in this action, "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" There is no requirement that an affidavit or other admissible evidence be included in a complaint. Accordingly,

IT IS HEREBY **ORDERED** that the Motion [#69] is **DENIED**.

Dated: May 21, 2013