

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

RAYVON L. BOATMAN,

Plaintiff,

v.

Case No: 2:21-cv-61-SPC-MRM

DONALD SAWYER, MELINDA
MASTERS, EMILY SALEMA,
ELIZABETH PORFERT, KERI
FITZPATRICK, M. JOHNSON,
GEO CARE GROUP, INC., D.
RIDDLE, SEXUALLY VIOLENT
PREDATOR PROGRAM
DIRECTORS, BILLING,
COCHRAN, LYLES, MAURO &
RAMSEY, P.A., DCF and
WELLPATH RECOVERY
SOLUTIONS,

Defendants.

OPINION AND ORDER¹

Before the Court is Plaintiff Rayvon Boatman's Motion to Proceed *In Forma Pauperis* ([Doc. 4](#)), which triggers the Court's obligation to review the Complaint to determine whether it is frivolous, malicious, or fails to state a

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claim. *See* 28 U.S.C. § 1915(e)(2)(B)(i)-(iii) (requiring district courts to screen cases *sua sponte* when plaintiffs wish to proceed *in forma pauperis*).

In determining the sufficiency of a *pro se* complaint, the Court must construe the allegations liberally. *Erickson v. Pardus* 551 U.S. 89, 94 (2007). The Court must also accept the allegations as true. *Boxer v. Harris*, 437 F.3d 1107, 1110 (11th Cir. 2006). But the Court need not credit a *pro se* plaintiff's "naked assertions" or "legal conclusions." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009).

The standards that apply to a dismissal under Federal Rule of Civil Procedure 12(b)(6) apply to dismissal under § 1915. *Alba v. Montford*, 517 F.3d 1249, 1252 (11th Cir. 2008). A complaint is subject to dismissal for failure to state a claim if the facts as pled do not state a claim for relief that is plausible on its face. *Bell Atlantic v. Twombly*, 550 U.S. 544, 556 (2007). A claim is plausible where the plaintiff alleges facts that "allow[] the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Iqbal*, 556 U.S. at 678. The plausibility standard requires that a plaintiff allege sufficient facts "to raise a reasonable expectation that discovery will reveal evidence" that supports the plaintiff's claim. *Twombly*, 550 U.S. at 556. Specifically, although a complaint "does not need detailed factual allegations...a plaintiff's obligation to provide the 'grounds' of his 'entitle[ment] to relief' requires more than labels and conclusions, and a formulaic recitation

of the elements of a cause of action will not do.” *Id.* at 555 (citations omitted). Thus, “the-defendant-unlawfully-harmed-me accusation” is not enough. *Iqbal*, 556 U.S. at 678. “Nor does a complaint suffice if it tenders naked assertions devoid of further factual enhancement.” *Id.*

Boatman—a frequent filer in this Court—is detained at Florida Civil Commitment Center (FCCC) after a state court deemed him a sexually violent predator, and he sues a slew of people and entities associated with the FCCC. His Complaint is rife with confusing, general, and conclusory allegations. They seem to fit into two categories: (1) Boatman’s clinical treatment is not progressing as quickly as he would like; and (2) another FCCC resident is stalking Boatman.


The Court finds dismissal of the Complaint appropriate under § 1915. The Complaint does not comply with [Federal Rule of Civil Procedure 8](#), which requires “a short and plain statement of the claim showing that the pleader is entitled to relief[.]” The Complaint also fails to state a claim upon which relief can be granted. *See* [Fed. R. Civ. P. 12\(b\)\(6\)](#). Even reading the Complaint liberally, the Court cannot discern a plausible cause of action against any Defendant.

Accordingly, it is now

ORDERED:

Plaintiff Rayvon L. Boatman's Complaint ([Doc. 1](#)) is **DISMISSED**. The Clerk is **DIRECTED** to enter judgment, terminate all pending motions and deadlines, and close the file.

DONE and **ORDERED** in Fort Myers, Florida on February 10, 2021.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

SA: FTMP-1

Copies: All Parties of Record