

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

HANS C. ANDERSON,

Petitioner,

v.

Case No: 8:12-mc-153-T-30AEP

JOHN DOE, OFFICER COLE, OFFICER
WITHMOORE and LT. LYONS,

Respondents.

ORDER

THIS CAUSE comes before the Court *sua sponte*. Plaintiff is proceeding in this case *pro se* and is currently incarcerated at the Zephyrhills Correctional Institution. A review of the complaint reflects that Plaintiff has failed to state a cause of action. The complaint consists of approximately two pages describing an incident wherein Plaintiff alleges he was deprived the opportunity to watch television based upon a mistake concerning whether he had showered that day. Plaintiff references Section 1982, presumably the cause of action he is attempting to bring, but fails to allege what constitutional violation occurred. Moreover, it is unclear how the alleged facts relate to any constitutional violation.

Rule 8 of the Federal Rules of Civil Procedure is instructive on the issue of pleading an appropriate complaint. Rule 8 states, in relevant part, that:

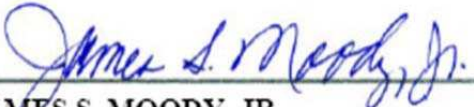
A pleading that states a claim for relief must contain:

- (1) a short and plain statement of the grounds for the court's jurisdiction, unless the court already has jurisdiction and the claim needs no new jurisdictional support;
- (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, which may include relief in the alternative or different types of relief.

Importantly, Plaintiff's *pro se* status does not relieve him from following the Federal Rules of Civil Procedure.

It is therefore ORDERED AND ADJUDGED that Plaintiff's complaint is dismissed without prejudice to Plaintiff to amend his complaint within twenty (20) days of this Order. The amended complaint shall state the basis of this Court's jurisdiction, identify the causes of action (i.e., the legal claims that entitle Plaintiff to relief under the law), and clearly state facts in support of each cause of action. Plaintiff's failure to amend the complaint within this period of time may result in the dismissal of this action without further notice.

DONE and ORDERED in Tampa, Florida, this 18th day of March, 2013.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record