

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

RONNIE DYSON,

Plaintiff,

vs.

Case No: 1:11-cv-134-SPM-GRJ

PRE-PAID LEGAL SERVICES, INC., et al.,

Defendants.

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ORDER

This matter is before the Court on Plaintiff's complaint. (Doc. 1.) Plaintiff also filed a motion to proceed in forma pauperis along with the required financial affidavit. (Doc. 2.) The Court has reviewed the financial affidavit and finds the Plaintiff is unable to pay the costs of this action pursuant to 28 U.S.C. § 1915(a) and therefore leave to proceed *in forma pauperis* is due to be granted.

Plaintiff filed his Complaint on the Court's civil rights complaint form for use by *pro se*, non prisoner litigants in actions under 28 U.S.C. § 1331 or § 1346 or 42 U.S.C. § 1983. Plaintiff seeks to bring claims against a number of Defendants, among them several law firms and a number of pre-paid legal service plans. According to the Complaint, Plaintiff was a paid member of one of the pre-paid legal services plans he includes as a Defendant, although he does not specify which one. Plaintiff attempted to enlist the services of the legal services plan for a civil suit in which he was involved, but it appears he was denied representation in connection with that civil suit by his plan. Plaintiff says he then filed a complaint with the plan, but his computer was intentionally infected with a virus by the plan and he lost everything stored on the computer. He

brought this to the attention of the relevant legal services plan, but the plan refused to replace his computer. After he filed a complaint with his plan, he then filed a complaint against the plan with the Better Business Bureau. He also asked for a refund of his yearly membership fee from the plan, but this request was also denied. Plaintiff seeks compensatory damages and punitive damages for violations of the Civil Rights Act of 1964, the Americans with Disabilities Act and a number of other federal laws and statutes.

It is unclear what is the legal basis for Plaintiff's claims. Plaintiff appears to believe his federal constitutional rights or his rights under a particular federal statute were violated, but it is impossible to decipher from the Complaint which particular right(s) Plaintiff believes were violated, as the Complaint lists multiple federal statutes and references the Constitution with no reference to the facts supporting the claim. Because Plaintiff is proceeding *pro se* the Court will give Plaintiff a chance to amend his Complaint. In the amended complaint Plaintiff must provide further detail with respect to the federal statute or constitutional provision upon which he relies for his claims. In its current formulation, the Complaint gives no hint as to which federal constitutional provision or statute Plaintiff wishes to invoke.

Plaintiff's Complaint also falls woefully short with respect to basic factual detail. It is unclear which pre-paid legal services plan Plaintiff was a member and what facts support his claim against the pre-paid legal plan. Accordingly, Plaintiff should take care to describe which pre-paid legal services plan he was or is a member, what happened when he attempted to invoke the assistance of the plan, and what the response of the plan was to his request. Plaintiff should also take care to list only those Defendants in his Amended Complaint who had a direct connection to the events he complains about

in the Complaint. Lastly, Plaintiff must explain how the conduct of the defendants violated the constitution.

The Court will give Plaintiff an opportunity to amend his complaint with further factual allegations as to which pre-paid legal services plan he was/is a member, what exactly occurred to prompt Plaintiff to seek the assistance of the plan, and the legal basis under which Plaintiff seeks to bring suit in federal court. To amend his complaint, Plaintiff must fill out the civil rights complaint form, marking it "First Amended Complaint." Plaintiff is advised that the amended complaint must contain all of Plaintiff's factual allegations set forth in separately numbered paragraphs and should not in any way refer to the original Complaint.

Accordingly, it is hereby **ORDERED**:

- (1) The Clerk is directed to send Plaintiff a blank copy of the Court's civil rights complaint form for non-prisoners and instructions.
- (2) Plaintiff shall fully complete the complaint form. In amending his Complaint, Plaintiff shall not refer back to the original Complaint or incorporate any part of the original Complaint by reference. Plaintiff shall file the amended complaint, together with an identical copy of the amended complaint for each Defendant, **on or before November 18, 2011**.
- (3) Leave to proceed *in forma pauperis* is hereby **GRANTED** for the purpose of reviewing the sufficiency of the complaint and amended complaint.
- (4) Failure to comply with this order within the allotted time, or to show cause why Plaintiff is unable to comply, will result in a recommendation to the district judge that this case be dismissed without further notice for failure to prosecute and failure to obey a Court directive.

DONE AND ORDERED this 31st day of October 2011.

s/ Gary R. Jones

GARY R. JONES
United States Magistrate Judge