

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO: 17-62507-CIV-GAYLES**

**ROBERT POLLARI,**

**Plaintiff,**

**v.**

**JOHN B. BOWMAN, et al.,**

**Defendants.**

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**ORDER**

**THIS CAUSE** comes before the Court on a *sua sponte* review. Because the Court finds that Plaintiff’s pleading, titled “Claim Upon Constitutional Due Process Violation” [ECF No. 1], fails to meet the pleading requirements of Rule 8(a) of the Federal Rules of Civil Procedure, the action is dismissed without prejudice and the case is administratively closed.

Rule 8(a) requires “a short and plain statement of the claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a)(2). The Eleventh Circuit has “identified multiple types of ‘shotgun pleadings’ insufficient to satisfy Rule 8.” *Westley v. Alberto*, No. 16-10666, 2017 WL 2963436, \*4 (11th Cir. 2017). “One kind of shotgun pleading is ‘replete with conclusory, vague, and immaterial facts not obviously connected to any particular cause of action,’” while “[a]nother type alleges ‘multiple claims against multiple defendants without specifying which of the defendants are responsible for which acts or omissions, or which of the defendants the claim is brought against.’” *Id.* (quoting *Weiland v. Palm Beach Cty. Sheriff’s Off.*, 792 F.3d 1313, 1322–23 (11th Cir. 2015)).

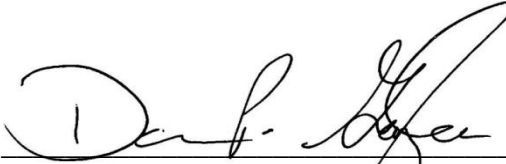
In this case, Plaintiff names as defendants Judge John B. Bowman of the 17th Judicial Circuit in and for Broward County, Florida, and John and Jane Does 1 through 10. The pleading gives

almost no factual narrative at all, except that it alleges that the state court judge improperly dismissed a state court action. The first two counts—titled “Failure to Act Honorably” and “Dereliction Of Duty, Failure To Uphold The Oath Of Office and Conduct Demonstrating Bad Behavior”—are vague and do not plead any actionable claim whatsoever. Count 3 appears to assert a due process claim but it is unclear against whom the claim is brought and the claim is likewise replete with conclusory allegations.

Therefore, it is

**ORDERED AND ADJUDGED** that this action is **DISMISSED WITHOUT PREJUDICE** and **CLOSED** for administrative purposes. If Plaintiff files an amended pleading remedying the deficiencies described above, the Court will reopen the case.

**DONE AND ORDERED** in Chambers at Miami, Florida, this 21st day of December, 2017.



DARRIN P. GAYLES  
UNITED STATES DISTRICT JUDGE