

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ALBERT THOMAS and ATG, a minor,

Plaintiff,

v.

Case No. 12-cv-1256-JPG-DGW

ZION LUTHERAN SCHOOL, DAVID  
KNIEPKAMP, ZION LUTHERAN CHURCH,  
GARY BYERS, RICK GOVE, TERRY  
MARINO, CATHY RUDOLT and HELEN  
MYERS,

Defendants.

**MEMORANDUM AND ORDER**

This matter comes before the Court on review of plaintiff Albert Thomas's complaint (Doc. 1). The unredacted complaint (Doc. 2) is 150 pages long (more than half of which are single-spaced) and consists of 498 paragraphs. It also has 47 pages of exhibits attached. It contains excessive detail, substantial legal argument and extensive citation to evidence. Thomas's pleading does not comply with the requirements of Federal Rule of Civil Procedure 8(a):

**(a) Claim for Relief.** 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.

Because it does not comply with Rule 8(a), the Court **STRIKES** the complaint, but **ORDERS** that Thomas shall have up to and including January 7, 2013, to file an amended

complaint that complies with Rule 8(a). The amended complaint should include a statement about why a federal court has jurisdiction over this case, a short, plain statement about how Thomas believes *the defendants* harmed him, and a short, plain statement of what he wants the Court to do. He may include a brief statement of the background facts he thinks are important to give context to his allegations against the defendants, but he does not need to allege every factual detail, include evidentiary material or cite extensive legal argument at this point. Based on a cursory review of the complaint, the Court believes Thomas can accomplish this in twenty pages or less. Accordingly, it will limit his amended complaint to twenty pages. The amended complaint must also comply with Local Rule 5.1(b), which states:

(b) General Format of Papers Presented for Filing

All pleadings, motions, documents, and other papers presented for filing shall be on 8½" x 11" white paper of good quality, flat and unfolded, and shall be plainly typewritten, printed, or prepared by a clearly legible duplication process *and double-spaced*, except for quoted material. Each page shall be numbered consecutively. This rule does not apply to (a) exhibits submitted for filing and (b) documents filed in removed actions prior to removal from state court.

(emphasis added). If Thomas fails to timely file an amended complaint that complies with Rule 8(a), the Court may dismiss this case without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

The Court further **DIRECTS** the Clerk of Court to send Thomas a copy of the Court's *Pro Se* Litigant Guide along with this order. The Court **RESERVES RULING** on the motions pending in this case until it reviews the amended complaint.

**IT IS SO ORDERED.**

**DATED: December 14, 2012**

s/J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**