

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
TERRE HAUTE DIVISION

WILLIAM OSCAR HARRIS, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 FEDERAL BUREAU OF PRISONS, )  
 )  
 Defendant. )

Cause No. 2:13-cv-11-JMS-WGH

**Entry and Order Dismissing Action**

**I.**

To survive a motion to dismiss, “a complaint must provide a short and plain statement of the claim showing that the pleader is entitled to relief, which is sufficient to provide the defendant with fair notice of the claim and its basis.” *Maddox v. Love*, 655 F.3d 709, 718 (7th Cir. 2011) (internal quotation marks omitted). A plaintiff may not rely on mere labels, conclusions, or a formulaic recitation of the elements of a cause of action. *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007).

Here, plaintiff William Harris alleges in his complaint that document he refers to as “Apostille No. A335219” shows that the Federal Bureau of Prisons can and should correct its records to show that he has completely satisfied and should be discharged from a conviction for contempt and sanctions imposed by the United States District Court for the District of New Jersey. The Bureau of Prisons, however, has not done so.

The Bureau of Prisons has appeared in the action and challenges the legal sufficiency of the complaint. The Court agrees with the reasoning of the challenge that the complaint lacks the

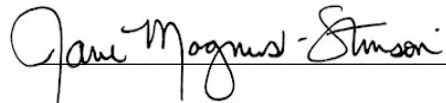
factual content required to supply the facial plausibility required by Rule 8(a) of the *Federal Rules of Civil Procedure*. This is because the complaint supplies only the nature of the intended lawsuit—the defendant agency’s failure to comply with the fiat declared by Harris--and is supported only by legal conclusions. Accordingly, the defendant’s motion to dismiss [dkt 23] is granted. *Kirksey v. R.J. Reynolds Tobacco Co.*, 168 F.3d 1039, 1041 (7th Cir. 1999)("Our system of justice is adversarial, and our judges are busy people. If they are given plausible reasons for dismissing a complaint, they are not going to do the plaintiff’s research and try to discover whether there might be something to say against the defendants' reasoning.").

**II.**

Judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

Date: 11/05/2013



Hon. Jane Magnus-Stinson, Judge  
United States District Court  
Southern District of Indiana

Distribution:

William Oscar Harris  
#40743-050  
Terre Haute FCI  
P.O. Box 33  
Terre Haute, IN 47808

All electronically registered counsel