

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT LOUISVILLE  
CIVIL ACTION NO. 3:14CV-511-S**

**UNKNOWN PLAINTIFF**

**PLAINTIFF**

**v.**

**ADAM EARL *et al.***

**DEFENDANTS**

**MEMORANDUM OPINION**

The instant action was filed on a court-supplied general complaint form. In the caption, no Plaintiff is listed. The Defendant(s) are listed as “Adam Earl – ETM AND Fayette Bar Fight[.]” The rest of the complaint form is blank. Since the complaint was filed along with two other complaints filed by Mike Profitt and the handwriting appears to be the same, the Court will take judicial notice that Mike Profitt filed this action.

“[A] district court may, at any time, *sua sponte* dismiss a complaint for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure when the allegations of a complaint are totally implausible, attenuated, unsubstantial, frivolous, devoid of merit, or no longer open to discussion.” *Apple v. Glenn*, 183 F.3d 477, 479 (6th Cir. 1999). The complaint contains no factual allegations and warrants dismissal for lack of subject-matter jurisdiction.

In addition, Rule 8 of the Federal Rules of Civil Procedure requires that a complaint 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.

Fed. R. Civ. P. 8(a). In the instant case, Plaintiff's complaint lacks sufficient information to meet this standard. *See Swierkiewicz v. Sorema N.A.*, 534 U.S. 506, 512 (2002) (indicating that the short and plain statement of claim must “give the defendant fair notice of what the plaintiff's claim is and the grounds upon which it rests”) (citation omitted). The complaint contains no factual allegations or grounds to support a claim.

Therefore, the instant action will be dismissed by separate Order.

Date: August 4, 2014

A handwritten signature in black ink, appearing to read 'CS III', is written over a faint circular seal of the United States District Court.

**Charles R. Simpson III, Senior Judge  
United States District Court**

cc: Mike Profitt, *pro se*  
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