

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

GRAHAM SCHIFF,

Plaintiff,

v.

Civil Action No.: JKB-24-1605

JEFFREY GETTY and CRAIG ROBINSON,

Defendants.

MEMORANDUM AND ORDER

Pro se Plaintiff Graham Schiff filed a Complaint. (ECF No. 1.) The Court reviewed his Complaint, and Schiff was required to show cause why his Complaint should not be dismissed for failure to state a claim. (ECF No. 5.) The Court set in a deadline of July 22, 2024 for Schiff to show cause, and he has failed to do so. The Court will therefore dismiss his Complaint.

As the Court previously explained, dismissal is appropriate because the Complaint fails to state a claim and Schiff has not satisfied the basic pleading requirements outlined in the Federal Rules of Civil Procedure. (*See generally* ECF No. 5.) Schiff brings this case against Judge Jeffrey Getty and Alleghany County Sheriff Craig Robinson. (*See generally* ECF No. 1.) He appears to take issue with his state court prosecution in “a false-allegation stalking case by Assistant State Attorney Katherine T. Getty, the daughter of J. Getty” (*Id.* at 5.) He makes various allegations regarding the Getty family and explains that he was subjected to “some of the worst abuses of power in an American state court.” (*Id.*) Schiff alleges that “Getty and Robinson conspired to have Robinson fail to serve [a] witness subpoena.” (*Id.*) Schiff does not provide any context for that assertion, and he does not explain what the subpoena was for, nor does he provide any

information about the actions (or inactions) of the named Defendants. He summarily concludes that this action violated his federal rights.

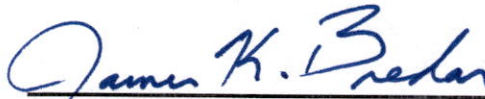
As the Court also previously explained, a court can dismiss a complaint *sua sponte* for failure to state a claim. *Webb v. E.P.A.*, 914 F.2d 1493 (4th Cir. 1990). However, “district courts may only exercise their authority to *sua sponte* dismiss inadequate complaints if the procedure employed is fair to the parties. Namely, the party whose complaint stands to be dismissed must be afforded notice and an opportunity to amend the complaint or otherwise respond.” *Robertson v. Anderson Mill Elementary Sch.*, 989 F.3d 282, 291 (4th Cir. 2021). Here, Schiff was afforded notice and an opportunity to respond, and he has failed to show cause why his Complaint should not be dismissed.

Accordingly, it is ORDERED that:

1. Schiff’s Complaint is DISMISSED;
2. The Clerk is DIRECTED to CLOSE this case; and
3. The Clerk is DIRECTED to MAIL a copy of this Order to Schiff.

Dated this 26 day of July, 2024.

FOR THE COURT:



James K. Bredar
United States District Judge