

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SAUEL S. ALMONTE,

Plaintiff,

v.

**COMMONWEALTH OF
MASSACHUSETTS, et al.,**

Defendants.

Civil Action No. 14-11865-DJC

ORDER

CASPER, J.

May 28, 2014

1. The motion for leave to proceed *in forma pauperis* (D. 2) is GRANTED.
2. The motion for appointment of counsel is DENIED WITHOUT PREJUDICE.
3. The complaint is stricken for failure to comply with Rule 8(a) of the Federal Rules of Civil Procedure. This rule mandates that a complaint must contain a “short a plain statement of the grounds for the court’s jurisdiction” and “a short and plain statement of the claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a) (emphasis added). While the plaintiff does allege that jurisdiction exists under 28 U.S.C. § 1331 (federal question subject matter jurisdiction) and 28 U.S.C. § 1332 (diversity subject matter jurisdiction), he does not identify any claims arising under federal law and it does not appear that the parties are domiciled in different states. The complaint is neither short nor plain and the plaintiff does not identify the claims he is asserting against each party.

The plaintiff shall have 30 days to file an amended complaint. Failure to do so will result in dismissal of the action without prejudice. The amended complaint must also comply with other provisions of the Federal Rules of Civil Procedure that are applicable to the drafting of a complaint. “The title of the complaint must name all the parties.” Fed. R. Civ. P. 10(a). The claims in a complaint must be set forth “in numbered paragraphs, each limited as far as practicable to a single

set of circumstances.” Fed. R. Civ. P. 10(b). Further, where a plaintiff brings claims against more than one defendant in a single lawsuit, the claims must be limited to those “arising out of the same transaction, occurrence, or series of transactions or occurrences.” Fed. R. Civ. P. 20(a)(2)(A). Finally, the Court’s Local Rules mandate that typed complaints be double-spaced (except for the identification of counsel, title of the case, footnotes, quotations and exhibits). See Local Rule 5.1(a)(2).

So ordered.

/s/ Denise J. Casper
United States District Judge