

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN DOE,

Petitioner/Plaintiff,

v.

No. 2:21-mc-51044
Honorable Linda V. Parker

PEOPLE OF THE STATE
OF MICHIGAN, ATTORNEY
GENERAL DANA NESSEL,
OAKLAND COUNTY CEO DAVID
COULTER,

Respondents/Defendants.

OPINION AND ORDER SUMMARILY DISMISSING ACTION

On July 29, 2021, Petitioner/Plaintiff filed a “Motion for Declaratory Judgment and Injunctive Relief” with this Court. (ECF No. 1.) It appears from the filing that Petitioner/Plaintiff is seeking relief related to his guilty plea to certain felonies in the Circuit Court for Oakland County.

The Court is dismissing this action for lack of subject matter jurisdiction. Even when construed liberally, the Court is unable to discern any remotely plausible federal cause of action set forth in the filing. *Steel Co. v. Citizens for Better Env’t*, 523 U.S. 83, 89 (1998) (providing that dismissal of a federal claim for lack of subject-matter jurisdiction is proper where the claim is “so insubstantial, implausible, foreclosed by prior decisions of this Court, or otherwise completely

devoid of merit as not to involve a federal controversy”). And to the extent Petitioner/Plaintiff is challenging his state court convictions or is seeking to sue individuals or entities responsible for any conduct leading to his alleged “fraud-based plea bargain,” the proper vehicle to do so is through an application for the writ of habeas corpus under 28 U.S.C. § 2254 or a civil complaint complying with the requirements of Rule 8 of the Federal Rules of Civil Procedure. (“A pleading that states a claim for relief must contain . . . a short and plain statement of the claim showing that the pleader is entitled to relief.”) (emphasis added). There is a “Complaint for a Civil Case” form available on the District’s website at <http://www.mied.uscourts.gov/index.cfm?pageFunction=proSe>. The website offers an entire section devoted to “Representing Yourself,” including a “How to File a Lawsuit Handbook.” See *id.*

Accordingly,

IT IS ORDERED that this action is **DISMISSED**.

IT IS SO ORDERED.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: November 5, 2021

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, November 5, 2021, by electronic and/or U.S. First Class mail.

s/Aaron Flanigan
Case Manager