

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

ORLANDO FIELDS, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 4:13CV01491 ERW
	)	
TROY STEELE, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court upon plaintiffs’ submission of a complaint against defendants Troy Steele, Daniel Bryan, Calev Brown and Clifton Bandy [ECF No. 1].

Upon review of the file, the Court finds that the complaint does not comply with Local Rule 2.06(A), because it was not filed on a Court-provided form.<sup>1</sup> In addition, the complaint does not comply with Rules 8 and 10 of the Federal Rules of Civil Procedure. Rule 8(a) requires that a complaint contain a short and plain statement of the claim showing that the pleader is entitled to relief and a demand for the relief sought. And Rule 10(b) requires that a party must state its claims or defenses in separately numbered paragraphs, each limited as far as practicable to a single set of circumstances.<sup>2</sup>

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<sup>1</sup>This Court’s Local Rule 2.06(A) states, “All actions brought by pro se plaintiffs or petitioners should be filed on Court-provided forms. If an action is not filed on a Court-provided form, the Court . . . may order the pro se plaintiff or petitioner to file the action on a Court-provided form.”

<sup>2</sup>Even pro se litigants are obligated to plead specific facts and must abide by the Federal Rules of Civil Procedure. See U.S. v. Wilkes, 20 F.3d 651, 653 (5th Cir. 1994); Boswell v. Honorable Governor of Texas, 138 F.Supp.2d 782, 785 (N.D. Texas 2000).

Because the manner in which the complaint is drafted makes it difficult to review, the Court will grant plaintiffs time to file an amended complaint on a Court-provided form, as set forth below. Plaintiffs are advised that the filing of an amended complaint will supersede the original complaint and will be the only complaint this Court reviews. See, e.g., In re Wireless Telephone Federal Cost Recovery Fees Litigation, 396 F.3d 922, 928 (8th Cir. 2005). Because the Court is allowing plaintiffs to amend their complaint, it will take no action as to the named defendants at this time and it will dismiss, without prejudice the motions accompanying the complaint.

Last, the Court notes that plaintiffs have not paid the \$400 filing fee, nor have they each submitted motions for leave to proceed in forma pauperis and certified copies of their prisoner trust fund account statements. As set forth below, the Court will also grant plaintiffs an opportunity to rectify this situation.

Accordingly,

**IT IS HEREBY ORDERED** that the Clerk shall not issue process or cause process to issue upon the complaint at this time.

**IT IS FURTHER ORDERED** that plaintiffs shall file an amended complaint within thirty (30) days from the date of this Order. In the amended complaint, plaintiffs shall complete in its entirety the Court-provided form for filing a prisoner civil rights complaint. Specifically, in the "Caption" of the form complaint, plaintiffs shall set forth the name of each defendant they wish to sue; and in the "Statement of Claim," they shall set forth the specific factual allegations supporting their claim(s) against the particular defendant, as well as the specific rights that they claim the defendant violated. Each plaintiff must sign the amended complaint.

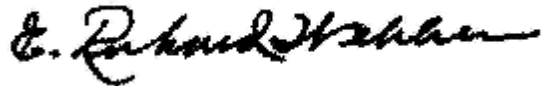
**IT IS FURTHER ORDERED** that, within thirty (30) days from the date of this Order, plaintiffs shall each complete and submit a motion for leave to proceed in forma pauperis and certified copies of their inmate trust fund accounts.

**IT IS FURTHER ORDERED** that, in addition to a copy of this Memorandum and Order, the Clerk shall mail plaintiffs a copy of the Court-provided form for filing a prisoner civil rights complaint, as well as copies of the court forms entitled "Motion to Proceed In Forma Pauperis and Affidavit in Support -- Prisoner Cases."

**IT IS FURTHER ORDERED** that plaintiffs' motions for injunctive relief and for immediate transfer [ECF No. 2 and 3] are **DENIED** without prejudice.

**IT IS FURTHER ORDERED** that if plaintiffs fail to comply with this Order, the Court will dismiss this action pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

So Ordered this 22nd day of August, 2013.



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E. RICHARD WEBBER  
SENIOR UNITED STATES DISTRICT JUDGE