

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:17 cv 114**

BRADFORD ALLEN,)
)
 Plaintiff,)
)
 v.)
)
 CITY OF ASHEVILLE, et al.,)
)
 Defendants.)
 _____)

ORDER

Pending before the Court is Defendants’ Motion for a More Definite Statement [# 14]. On April 21, 2017, Plaintiff filed a Complaint [# 1]. On May 11, 2017, Plaintiff filed an Amended Complaint [# 5], and Declaration in Support of Amended Complaint [# 5, Ex. # 1]. On June 16, 2017, Defendants each received a summons along with Plaintiff’s Complaint, Amended Complaint, and Declaration. On June 29, 2017, Defendants filed their Motion for a More Definite Statement [# 14]. Defendants asked that Plaintiff comply with Federal Rules of Civil Procedure 8(a), 8(d)(1), and 10(b). Defendants asked Plaintiff for:

8(a) a “short and plain statement of the claim,”

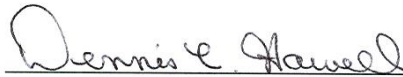
8(d)(1) that the statement contain allegations which are “simple, concise and direct,” and

10(b) that the claims should be in “numbered paragraphs,” which are “limited as far as practicable to a single set of circumstances.”

On October 16, 2017, Plaintiff filed a Second Amended Complaint [# 21]. As instructed by the Fourth Circuit, this Court construes pro se complaints liberally. Beaudett v. City of Hampton, 775 F.2d 1274, 1277–8 (4th Cir. 1985). After reviewing the Second Amended Complaint, the Court finds that Plaintiff has complied with Defendants’ request for a more definite statement.

Therefore, the Court **DENYS** Defendants’ motion [# 14] because Plaintiff has provided a more definite statement in his Second Amended Complaint.

Signed: November 8, 2017



Dennis L. Howell
United States Magistrate Judge

