

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RICKY DOUGLAS,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 14-1266
)	Magistrate Judge Maureen P. Kelly
ORLANDO L. HARPER <i>Warden</i> ;)	
DEPUTY WARDEN ENRICK; C/O)	
BOZACK; C/O YOUNG; C/O ZOLLER,)	
Defendants.)	

ORDER

Ricky Douglas (“Plaintiff”) has filed a civil rights action, complaining of his conditions in the Allegheny County Jail (“ACJ”).

The proposed Complaint, ECF No. 1-1, fails to comply with the pleading requirements of Fed.R.Civ.P. 8 as explained in Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007) and Ashcroft v. Iqbal, 556 U.S. 662 (2009). As explained by the United States Supreme Court, a complaint is subject to dismissal under the standards of Fed. R. Civ. P. 12 (b)(6) if it does not allege “enough facts to state a claim to relief that is plausible on its face.” Id. at 570

The proposed Complaint is simply insufficient under Twombly and Iqbal. As the United States Supreme Court explained in Twombly: “a plaintiff’s obligation to provide the ‘grounds’ of his ‘entitle[ment] to relief’ requires more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do[.]” Twombly, 550 U.S. at 555. Rather, Plaintiff must allege a modicum of facts showing that the Defendants violated his rights. Instead of alleging sufficient facts to show that the Defendants violated Plaintiff’s rights, the proposed Complaint is replete with conclusory allegations that lack any factual specificity and fail to

connect individual Defendants with specific actions that show Plaintiff's rights were violated. In order to rectify the deficiencies in the proposed Complaint, Plaintiff is **ORDERED** to file an Amended Complaint that includes all of his claims against all of the defendants and allege therein facts, as opposed to conclusory allegations. Essentially, Plaintiff should allege who did or failed to do what to him and when these actions or inactions occurred.

Plaintiff is **ORDERED** to file the Amended Complaint no later than October 20, 2014. Failure to file the Amended Complaint may result in the dismissal of this case for failure to prosecute. We note that in a past case, Plaintiff's lawsuit against ACJ officials was dismissed for failure to prosecute and/or for failure to state a claim upon which relief can be granted. Douglas v. Barrone, No. 12-cv-1706 (W.D. Pa., ECF No. 27, order dismissing case filed on 8/8/2013).

BY THE COURT:

Date: September 23, 2014

/s/ Maureen P. Kelly
MAUREEN P. KELLY
UNITED STATES MAGISTRATE JUDGE

cc: Ricky Douglas
164550
Allegheny County Jail
950 Second Avenue
Pittsburgh, PA 15219