IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

YUNG-KAI LU, Plaintiff, v. UNIVERSITY OF UTAH, Defendant.	MEMORANDUM DECISION Case No. 2:13-cv-00984-TC-DBP District Judge Tena Campbell Magistrate Judge Dustin B. Pead

I. INTRODUCTION

This matter was referred to the Court under 28 U.S.C. § 636(b)(1)(A). (Docket No. 5.) Pro se Plaintiff, who proceeds in forma pauperis, is Yung-Kai Lu. Defendant is the University of Utah. On October 28, 2013 Plaintiff filed his complaint with the Court. (Dkt. No. 3.) On January 31, 2014, this Court granted Plaintiff an extension until April 22, 2014 to serve a summons and the complaint on Defendant. (Dkt. No. 6.)

Thereafter, Plaintiff mailed the Clerk of Court summons for the following nonparties: (1) Lori McDonald; (2) Donn Schaefer; (3) George Marie; (4) Chalimar Swain; (5) Charles A. Wight; (6) Charles Piele; and (7) Miguel Chaqui. Because Plaintiff resides in Taipei, Taiwan, he arranged for his server to pick up these summons from the Clerk of Court and to serve the summons on these seven individuals.

Plaintiff never formally identified these seven individuals as Defendants in his original complaint. For this reason, and the other reasons discussed below, this Court **ORDERS** Plaintiff to amend the complaint to comply with Fed. R. Civ. P. 8 and DUCivR 3-5.

II. STATEMENT OF LAW ON COMPLAINT REQUIREMENTS

A complaint must contain: (1) "a short and plain statement of the grounds for the court's jurisdiction"; (2) "a short and plain statement of the claim showing that the pleader is entitled to relief"; and (3) "a demand for the relief sought, which may include relief in the alternative or different types of relief." Fed. R. Civ. P. 8(a). *See also* DUCivR 3-5 (requiring a complaint to "state the basis for the court's jurisdiction, the basis for the plaintiff's claim or cause for action, and the demand for relief.").

III. ANALYSIS OF PLAINTIFF'S COMPLAINT

Plaintiff's current complaint fails to comply with Fed. R. Civ. P. 8 and DUCivR 3-5. The complaint fails to identify the grounds for the Court's jurisdiction. The complaint fails to formally list any named defendants. The complaint contains factual allegations about how the University of Utah allegedly racially discriminated against Plaintiff, violated privacy laws, issued Plaintiff an unlawful contract, and misused state funds. However, these factual allegations are not tied to any identifiable legal causes of action. Moreover, the complaint does not include any specific demand for relief.

Accordingly, the Court **ORDERS** Plaintiff to submit an amended complaint that complies with Fed. R. Civ. P. 8 and DUCivR 3-5. The amended complaint should identify the grounds for this Court's jurisdiction. It should formally identify all the parties that Plaintiff wishes to name as defendants in the action. The complaint should identify legal causes of action, and provide

clear statements that show Plaintiff's entitlement to relief on those causes of action. Finally, Plaintiff should list a specific demand or demands for relief.

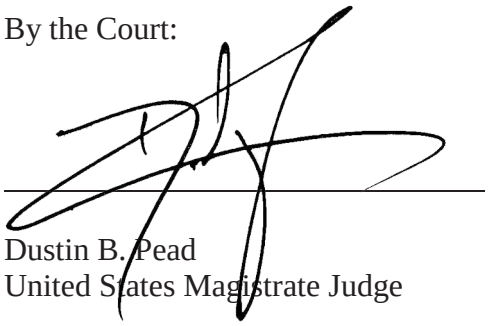
IV. ORDERS

The Court **ORDERS** Plaintiff to amend his complaint as instructed above. For further guidance about how to file a proper complaint, Plaintiff may wish to refer to the Court's Pro Se Litigant Guide. Plaintiff may locate this guide from the list of forms available at www.utd.uscourts.gov/documents/formpage.html.

Plaintiff must file his amended complaint with the Court by **June 17, 2014**. After Plaintiff files a properly amended complaint, the Clerk of Court will contact Plaintiff's server to pick up the amended complaint and the summons Plaintiff previously mailed to the Clerk of Court.

Dated this 18th day of April, 2014.

By the Court:



Dustin B. Pead
United States Magistrate Judge