

OCT 11 2011

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

KELVIN A. CANADA)	Civil Action No. 7:11cv00408
)	
Plaintiff,)	
)	<u>MEMORANDUM OPINION</u>
v.)	
)	
HAROLD CLARKE, ET AL.,)	
)	By: Samuel G. Wilson
Defendants.)	United States District Judge

Kelvin A. Canada, proceeding *pro se*, has filed a complaint pursuant to 42 U.S.C. § 1983 naming twenty-eight defendants, and his allegations and attached documents drone on for 187 pages. Federal Rule of Civil Procedure 8(a)(2) requires a “short and plain statement of the claim showing that the pleader is entitled to relief.” Though the rule is greatly relaxed for *pro se* plaintiffs, it does not require a court to endeavor to discern coherence where there is none, or to permit *pro se* plaintiffs to name defendants that have little more identifiable relationship to a coherent claim than persons selected at random from a phone book. See Beaudett v. City of Hampton, 775 F.2d 1274, 1277–78 (4th Cir. 1985) (noting that “[p]rinciples requiring generous construction of *pro se* complaints are not, however, without limits”). The court dismissed a predecessor to this complaint, Canada v. Johnson, 7:11-cv-00369 (W.D. Va. August 16, 2011), for failing to state a plausible claim for relief. Canada has, in this case, submitted to the court a complaint that is nearly an exact duplicate of the complaint in that earlier case. He has changed the cover page and the names of a few defendants, but the first fifty-six pages are, with the exception of a single page, a photocopy of the earlier complaint. The only notable change to the earlier complaint is Canada’s addition of ten pages of requests for punitive damages, compensatory damages, “declaratory damages,” injunctive relief, and a temporary restraining

order. The instant complaint essentially mirrors the earlier one. The court reiterates its objections to Canada's burdensome and often incomprehensible pleadings naming twenty-eight defendants. Accordingly, the court will dismiss without prejudice under 28 U.S.C. § 1915A(b)(1) Canada's complaint for failure to state a plausible claim for relief.

ENTER: This 11th day of October, 2011.



UNITED STATES DISTRICT JUDGE