

1 HONORABLE RICHARD A. JONES
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MELIN T. RODRIGUEZ,

Plaintiff,

v.

NORTHWEST TRUSTEE
SERVICES, INC., et al.,

Defendants.

CASE NO. C17-1627 RAJ
ORDER

This matter comes before the Court *sua sponte*. For the reasons that follow, the Court **DISMISSES** *pro se* Plaintiff Melin T. Rodriguez's Amended Complaint. Dkt. # 9. On December 1, 2017, the Court dismissed Plaintiff's complaint for failure to allege facts that "state a claim to relief that is plausible on its face," pursuant to Federal Rule of Civil Procedure 12(b)(6). Dkt. # 8; *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 568 (2007). Plaintiff was given the opportunity to amend his complaint. On December 20, 2017, Plaintiff filed an Amended Complaint. Dkt. # 9. The Amended Complaint is almost identical to the original complaint and fails to cure its deficiencies. Plaintiff provides no further information as to how Defendants denied his right to due process, or why the trustee's deed allegedly held by Defendants is not valid.

1 Additionally, Plaintiff fails to comply with Federal Rule of Civil Procedure 8. To
2 comply with Rule 8, Plaintiff must plead a short and plain statement of the elements of
3 her claim, “identifying the transaction or occurrence giving rise to the claim and the
4 elements of a prima facie case.” *Bautista v. Los Angeles County*, 216 F.3d 837, 840 (9th
5 Cir. 2000). Accordingly, Plaintiff must set forth “who is being sued, for what relief, and
6 on what theory, with enough detail to guide discovery.” *McHenry v. Penne*, 84 F.3d
7 1172, 1179-80 (9th Cir. 1996). Here, it is still unclear what Plaintiff’s claims are and
8 what facts support those claims. Further, Plaintiff must allege facts which support
9 damages in excess of \$75,000 to remain in federal court. *Guglielmino v. McKee Foods*
10 *Corp.*, 506 F.3d 696, 699 (9th Cir. 2007) (internal quotation omitted). It remains unclear
11 how Plaintiff arrives at his \$1,350,000 demand.

12 For the reasons stated above, the Court **DISMISSES** Plaintiff’s Amended
13 Complaint. Dkt. # 9.

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15 Dated this 8th day of January, 2018.

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The Honorable Richard A. Jones
United States District Judge