

FILED

JAN 16 2009

**NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT**

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Angela Dozier-Carter,

Plaintiff,

v.

Commissioner of Social Security *et al.*,

Defendants.

Civil Action No. **09 0102**

MEMORANDUM OPINION

This matter is before the Court on its initial review of plaintiff's *pro se* complaint and application for leave to proceed *in forma pauperis*. The Court will grant the *in forma pauperis* application and dismiss the case because the complaint fails to meet the minimal pleading requirements of Rule 8(a) of the Federal Rules of Civil Procedure.

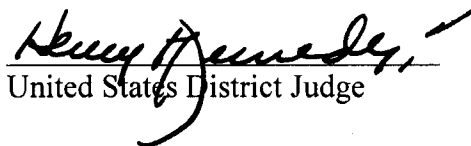
Pro se litigants must comply with the Federal Rules of Civil Procedure. *Jarrell v. Tisch*, 656 F. Supp. 237, 239 (D.D.C. 1987). Rule 8(a) of the Federal Rules of Civil Procedure requires complaints to contain "(1) a short and plain statement of the grounds for the court's jurisdiction . . . ; (2) a short and plain statement of the claim showing that the pleader is entitled to relief; and (3) a demand for the relief sought. . . ." Fed. R. Civ. P. 8(a); *see Ciralsky v. CIA*, 355 F.3d 661, 668-71 (D.C. Cir. 2004). The Rule 8 standard ensures that defendants receive fair notice of the claim being asserted so that they can prepare a responsive answer and an adequate defense and determine whether the doctrine of *res judicata* applies. *Brown v. Califano*, 75 F.R.D. 497, 498 (D.D.C. 1977).

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- Plaintiff sues President George Bush, Justice John Paul Stevens, Secretary of State Condoleeza Rice, former U.S. Attorney General Alberto Gonzales and Social Security Commissioner Michael J. Astrue for allegedly “breach[ing] their fiduciary [sic] duty by not awarding the plaintiff a \$700,000 demand by judgment of default” apparently against the Social Security Commissioner. The complaint, which is devoid of any information about a pending or dismissed court case, provides no notice of a claim. Moreover, the claim against all of the defendants except perhaps the Social Security Commissioner is frivolous. *See Neitzke v. Williams*, 490 U.S. 319, 325 (1989) (complaint based on “fanciful factual allegation[s]” deemed frivolous); *Brandon v. District of Columbia Bd. of Parole*, 734 F.2d 56, 59 (D.C. Cir. 1984) (complaint lacking “an arguable basis in law and fact” subject to dismissal as frivolous). A separate Order of dismissal accompanies this Memorandum Opinion.

Date: December 31, 2008


United States District Judge