

JAN - 6 2010

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIAClerk, U.S. District and
Bankruptcy Courts

Derian Douglas Hickman,

Plaintiff,

v.

Derian Douglas Hickman Archives, *et al.*,

Defendants.

Civil Action No.

10 0012**MEMORANDUM OPINION**

This matter comes before the court on review of plaintiff's application to proceed *in forma pauperis* and *pro se* civil complaint. The court will grant the application, and dismiss the complaint.

The Court has reviewed plaintiff's complaint, keeping in mind that complaints filed by *pro se* litigants are held to less stringent standards than those applied to formal pleadings drafted by lawyers. *See Haines v. Kerner*, 404 U.S. 519, 520 (1972). Even *pro se* litigants, however, 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 that a complaint contain a short and plain statement of the grounds upon which the court's jurisdiction depends, a short and plain statement of the claim showing that the pleader is entitled to relief, and a demand for judgment for the relief the pleader seeks. Fed. R. Civ. P. 8(a). The purpose of the minimum standard of Rule 8 is to give fair notice to the defendants of the claim being asserted, sufficient to prepare a responsive answer, to prepare an adequate defense and to determine whether the doctrine of *res judicata* applies. *Brown v. Califano*, 75 F.R.D. 497, 498 (D.D.C. 1977).

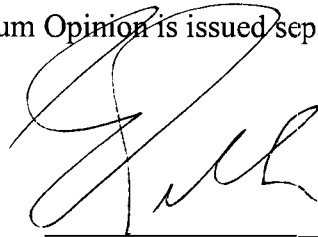
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Plaintiff demands “payment of any royalty payments for use of copyrights, trademarks, [and] patents,” an amount which “could exceed [\$] 1 billion.” Compl. at 1. As drafted, the complaint fails to comply with Rule 8(a) because it fails to include a short and plain statement showing that plaintiff is entitled to relief. For this reason, the complaint will be dismissed without prejudice.

Plaintiff has filed at least ten complaints this year, all of which have been dismissed in screening because either the complaint is clearly frivolous and based on delusions or does not meet the minimum standards required as set forth in Rule 8. The plaintiff is advised that if he persists in filing such complaints, this Court may restrict his ability to proceed *in forma pauperis*.

An Order consistent with this Memorandum Opinion is issued separately.



United States District Judge

Date:

12/29/05