

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

FEB 14 2011

Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia

DWAYNE E. ANDERSON,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendants.

Civil Action No.

**11 0366**

**MEMORANDUM OPINION**

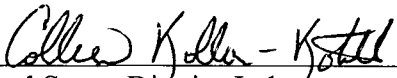
This matter comes before the court on review of plaintiff's application to proceed *in forma pauperis* and *pro se* civil complaint. The court will grant the application, and dismiss the complaint.

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).

Plaintiff brings this action against the United States under the Federal Tort Claims Act, and attaches to his complaint a copy of the agency's response to his administrative claim. Wholly absent from his submission, however, are any factual allegations to support plaintiff's claim.<sup>1</sup> The complaint fails to give fair notice to the defendant of the claims asserted and therefore it fails to comply with Rule 8(a).

Accordingly, the Court will dismiss the complaint without prejudice. An Order consistent with this Memorandum Opinion is issued separately.

  
United States District Judge

DATE: Feb. 4, 2011

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<sup>1</sup> It is not the Court's obligation to "order the agency . . . to furnish . . . a copy of his formally filed administrative tort claim . . . which states the facts alleged and relied on." Compl. at 1.