

FILED

OCT 31 2012

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

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DAVID MARTIN HABER,

Plaintiff,

v.

ASN 50TH STREET, LLC, *et al.*,

Defendants.

Civil Action No. 12-1762

MEMORANDUM OPINION

This matter comes before the court on review of the 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 the 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 defendant of the claim being asserted, sufficient to prepare a responsive answer, to prepare an adequate defense and to

-n-

3

determine whether the doctrine of *res judicata* applies. *Brown v. Califano*, 75 F.R.D. 497, 498 (D.D.C. 1977).

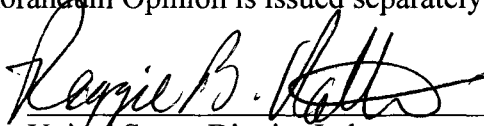
In its entirety, the complaint states:

Each named Defendant conspired to fix the out come [sic] of NYS Supreme court Case NO. 400422/2011. Plaintiff Request Jury Trial and Plaintiff further ask[s] the court for a Judgment of \$30,000,000.00 and for all other relief the court deems just and proper.

Compl. at 3 (page number designated by the Court). Missing from the complaint is a statement of this Court's jurisdiction and a statement of a claim showing that the plaintiff is entitled to the relief he demands. As drafted, the complaint fails to comply with Rule 8(a), and it will be dismissed.

An Order consistent with this Memorandum Opinion is issued separately.

DATE: October 15, 2012


United States District Judge