

FILED

DEC 14 2012

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

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CEDRIC WAYNE BAGBY,

Plaintiff,

v.

FORMER PRESIDENT OF
XTO ENERGY,

Defendant.

Civil Action No.

12 2002

MEMORANDUM OPINION

This matter is before the Court on consideration of the plaintiff's application to proceed *in forma pauperis* and *pro se* complaint. The application will be granted, and the complaint will be dismissed.

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 determine whether the doctrine of *res judicata* applies. *Brown v. Califano*, 75 F.R.D. 497, 498 (D.D.C. 1977). Here, the complaint pertains to the acquisition of XTO Energy by ExxonMobil, and reflects the plaintiff's musings on the oil and gas industry. As drafted, the plaintiff's complaint fails to

comply with Rule 8(a). According, the complaint will be dismissed without prejudice. An Order consistent with this Memorandum Opinion is issued separately.

DATE:

12/12/12


United States District Judge