

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

AUG - 1 2013

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

Marion Dennis Murray, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 Executive Session )  
 Chief Staff Counsel Office *et al.*, )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

Civil Action No.

13-1179

MEMORANDUM OPINION


Plaintiff, proceeding *pro se*, has submitted a form captioned “Petition for Writ of Habeas Corpus” and an application to proceed *in forma pauperis*. The Court will grant the *in forma pauperis* application and dismiss the case because the petition 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 [and] (2) a short and plain statement of the claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a); see *Ashcroft v. Iqbal*, 129 S.Ct. 1937, 1950 (2009); *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 is a prisoner incarcerated in Georgia. He is barred from proceeding *in forma pauperis* in civil actions under the three-strike provision of the Prison Litigation Reform Act, 28 U.S.C. § 1915(g). See *Murray v. Georgia*, No. 109-134, 2009 WL 5125334 (S.D.Ga. Dec. 28, 2009). The purported habeas petition consists of scribble and unexplained attachments. Plaintiff has not named his warden, who is the only proper respondent to a habeas petition, *Stokes v. U.S. Parole Com'n*, 374 F.3d 1235, 1239 (D.C. Cir. 2004), and he has not stated any discernible grounds for relief in habeas or otherwise. Given the frivolous nature of the instant petition, the Court surmises that plaintiff is aware that section 1915(g) is inapplicable to habeas petitions and has sought to circumvent the bar. His attempt fails sorely. Since there is no possible way plaintiff can amend this petition to come within Rule 8's pleading requirements, the Court will dismiss this action with prejudice. A separate Order accompanies this Memorandum Opinion.

  
United States District Judge

Date: July 24, 2013