

FILED

MAY 23 2014

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

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

DAVID LEWIS TURNER,

Plaintiff,

v.

UNITED STATES, *et al.*,

Defendants.

Civil Action No.

14-879

MEMORANDUM OPINION

This matter is before the Court on consideration of the plaintiff's application to proceed *in forma pauperis* and his *pro se* complaint. The application will be granted, and the complaint will be dismissed without prejudice.

According to the plaintiff, officers of the Metropolitan Police Department's Second District arrested him on April 13, 2014 "for verbal threats . . . when in fact [he] did not verbally threaten anyone," and he brings this action for "decriminalization [sic], obstruction of justice, [and] violation of civil constitutional and human rights." Compl. at 1. The plaintiff names two entities, the United States and the Metropolitan Police Department, as defendants to this action, and he demands damages of \$200,000.00. *Id.*

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). As drafted, the complaint fails to comply with Rule 8(a), as it fails to set forth any factual allegations with respect to the United States. In other words, the complaint does not include a statement showing that plaintiff is

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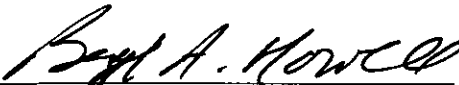
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entitled to relief as against the United States. In addition, the Metropolitan Police Department "is *non sui juris* and, therefore, cannot sue or be sued." *Heenan v. Leo*, 525 F. Supp. 2d 110, 112 (D.D.C. 2007) (citations omitted).

For these reasons, the complaint and this civil action will be dismissed without prejudice.¹ An Order is issued separately.

DATE:

5/8/2014


United States District Judge

¹ Dismissal of this action is without prejudice. If the plaintiff intended to file a civil rights action under 42 U.S.C. § 1983 against the District of Columbia, for example, he either may file a new civil action, or he may move to reopen this case and request leave to amend his complaint.