

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

NOV - 5 2014

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

Leona Cosby,

Plaintiff,

v.

Social Security,

Defendant.

Civil Action No.

14-1855

MEMORANDUM OPINION

This matter is before the Court on its initial review of the plaintiff's *pro se* Complaint and application to proceed *in forma pauperis*. The Court will grant the *in forma pauperis* application and dismiss the case because the complaint 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*, 556 U.S. 662, 678-79 (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).

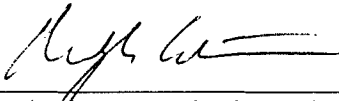
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Plaintiff is a District of Columbia resident suing the Social Security Administration. In the one-page complaint, plaintiff alleges that while waiting in line to see a case worker, “a man hit me in the right shoulder. I fell to my left and man court [sic] me before I hit the wall and floor.” She seeks \$500,000 in monetary damages.

The alleged facts provide no basis for recovery against the named defendant-agency. Regardless, the Court cannot exercise jurisdiction over any damages claim against a United States agency prior to the plaintiff’s exhaustion of administrative remedies under the Federal Tort Claims Act (FTCA), which is not apparent from the instant complaint. *See* 28 U.S.C. § 2675 (exhaustion procedures); *Abdurrahman v. Engstrom*, 168 Fed.Appx. 445, 445 (D.C. Cir. 2005) (per curiam) (affirming the district court’s dismissal of unexhausted FTCA claim “for lack of subject matter jurisdiction”); *accord Simpkins v. District of Columbia Gov’t*, 108 F.3d 366, 371 (D.C. Cir. 2007). Hence, this case will be dismissed. A separate Order accompanies this Memorandum Opinion.

Date: November 4th, 2014


United States District Judge