

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

VELIA L. FOSTER,

Plaintiff,

v.

DEPARTMENT OF HEALTH CARE SERVICE,

Defendant.

)
)
)
)
)
)
)
)
)
)
)

Case: 1:15-cv-01809 F Deck (Jury)
Assigned To : Unassigned
Assign. Date : 10/26/2015
Description: Pro Se Gen. Civil

MEMORANDUM OPINION

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

The Court has reviewed 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 defendants 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).

The plaintiff, who is deaf, Compl. at 2, resides in California, *see id.* at 46. She appears to bring claims for damages under California law, *see, e.g., id.* at 41, 45, and mentions the

N

Rehabilitation Act and the Americans with Disabilities Acts, *see, e.g., id.* at 42, without actually articulating a cognizable claim under any of these provisions. Although the complaint sets forth a basis for this Court's jurisdiction, *id.*, and demands monetary damages, *id.* at 31-32, it does not include a short and plain statement of claims showing that plaintiff is entitled to relief. As drafted, the complaint does not comply with Rule 8(a), and it will be dismissed without prejudice. An Order consistent with this Memorandum Opinion is issued separately.

DATE:

10/16/15



United States District Judge