

FILED

AUG 28 2017

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

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

JEROME L. GRIMES,

Plaintiff,

v.

O'NEAL, *et al.*,

Defendants.

:
:
:
:
:
:
:
:
:
:
:

Civil Action No. 17-1558 (UNA)

MEMORANDUM OPINION

This matter comes before the court on review of plaintiff’s application to proceed *in forma pauperis* and *pro se* civil complaint. The Court will grant the application, and dismiss the complaint.

The Federal Rules of Civil Procedure require that a complaint contain “a short and plain statement of the claim showing that the pleader is entitled to relief,” in order to ‘give the defendant fair notice of what the . . . claim is and the grounds upon which it rests[.]’” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (quoting *Conley v. Gibson*, 355 U.S. 41, 47 (1957)). Further, a complaint must “contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Twombly*, 550 U.S. at 570). A claim is facially plausible “when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Id.* (quoting *Twombly*, 550 U.S. at 556). Although a *pro se* complaint is “held to less stringent standards than formal pleadings drafted by lawyers,” *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (per curiam) (internal quotation marks and citation omitted), it too, “must plead ‘factual matter’ that permits the court to infer ‘more than the mere possibility of

misconduct,” *Atherton v. District of Columbia Office of the Mayor*, 567 F.3d 672, 681-82 (D.C. Cir. 2009) (quoting *Iqbal*, 556 U.S. at 678-79).

It appears that plaintiff brings a civil rights action against law enforcement officers in California and Florida. Although plaintiff makes conclusory statements as to defendants’ alleged violations of rights protected under the Fourth Amendment to the United States Constitution, there are no factual allegations in the complaint describing the circumstances under which plaintiff’s claims arose. As drafted, the complaint fails to state a plausible claim, and the Court will dismiss the complaint without prejudice. An Order consistent with this Memorandum Opinion is issued separately.

DATE: 8/25/17


United States District Judge