

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

AUG 16 2018

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

JUAN PABLO CHAVEZ *d/b/a*
FINE ARTS EDUCATION REFORM,

Plaintiff,

RUDES, *et al.*,

Defendants.

Civil Action No. 1:18-cv-01757 (UNA)

MEMORANDUM OPINION

This matter is before the Court on its initial review of the plaintiff's *pro se* complaint ("Compl.") and application for leave 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). "A confused and rambling narrative of charges and conclusions . . . does not comply with the requirements of Rule 8." *Cheeks v. Fort Myer Constr. Corp.*, 71 F. Supp. 3d 163, 169 (D.D.C. 2014) (citation and internal quotation marks omitted).

The complaint, in its current form, is nearly incomprehensible. The plaintiff, Juan Carlos Chavez, attempts to bring four separate cases within one action. Compl. at 1 ¶¶ 1-4. Even if that were proper, which the Court does not concede, the distinct parties and claims relating to those cases are completely unclear. *See* Fed. R. Civ. P. 8, 9, 10; *see also* D.C. LCvR 5.1. The plaintiff attempts to sue multiple defendants, including, “Rudes,” “Apollo Global Management, LLC,” “SSI Disability,” and the “People of the State of California.” Compl. at caption. The complaint is devoid of information as to the location, nature, relationship, or actions of the defendants.


The plaintiff also attempts to bring suit “doing business as” multiple entities, including, “Fine Arts Education Reform,” “Faer Foundation, Inc.,” “TSE Management, LLC,” “Reason, Logic & Law,” “BFlat & Media Publishing,” “GRBK Music Group,” and “Johnny Arco.” *Id.* at caption, signature block. As a general rule, applicable here, a *pro se* litigant can represent only himself or herself in federal court. *See* 28 U.S.C. § 1654; *Georgiades v. Martin-Trigona*, 729 F.2d 831, 834 (D.C. Cir. 1984). Therefore, to the extent that the plaintiff purports to represent the named entities before this Court, he cannot do so. *See 180 East Broad Partners LLC v. Ohio Dep’t of Taxation*, 193 F. Supp. 3d 1, 2 (D.D.C. 2014).

The plaintiff states that he disabled and wishes “. . . to be made whole.” Compl. at 2. He asks that the Court grant himself and others “. . . time and space, no less than what is objectively necessary to make this action matter[.]” *Id.* The plaintiff may not bring claims on behalf of other litigants; the plaintiff is without legal training, and therefore cannot fairly or adequately represent the interests of the proposed class. Fed. R. Civ. P. 23(a)(4); *Heard v. Caruso*, 351 Fed. App’x 1, 15 (6th Cir. 2009); *Oxendine v. Williams*, 509 F.2d 1405, 1407 (4th Cir. 1975) (per curiam); *Abdus-Shahid M.S. Ali v. U.S. Parole Comm’n*, 2007 U.S. Dist. LEXIS 20777, at *16 (D.D.C. Mar. 23, 2007) (concluding “that a *pro se* litigant is not a suitable class representative”), *aff’d*, No. 07-5134,

2007 U.S. App. LEXIS 27270, at *1 (D.C. Cir. Nov. 23, 2007) (per curiam). Notwithstanding, the plaintiff's individual claims also fail.

The ambiguous allegations comprising the complaint fail to provide adequate notice of a claim. The complaint also fails to set forth allegations with respect to this Court's jurisdiction over the plaintiff's entitlement to relief or a valid basis for an award of damages as pled. Not only are the causes of action equivocal, but the parties themselves are unclear. As drafted, the complaint fails to meet the minimum pleading standard set forth in Rule 8(a). Therefore, the Court will grant the plaintiff's application to proceed *in forma pauperis* and will dismiss the complaint. An Order consistent with this Memorandum Opinion is issued separately.

Date: August 14, 2018


United States District Judge