

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

JUN 16 2021

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

JOHN UNDERWOOD, JR.,

Plaintiff,

v.

WARDEN DAVID LEMASTER, *et al.*,

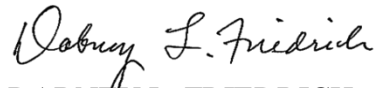
Defendants.

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) Civil Action No. 21-1468 (UNA)
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MEMORANDUM OPINION

This matter is before the Court on review of this *pro se* plaintiff's application to proceed *in forma pauperis* and his civil complaint. The Court has reviewed the 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 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 Court finds that the complaint broadly asserts that rights protected under the Fifth and Eighth Amendments to the United States Constitution have been violated, but it sets forth no factual allegations to support these constitutional claims. For example, the plaintiff alleges that the staff violated Bureau of Prisons' rules and regulations without identifying which rules and regulations are at issue. Similarly, the plaintiff alleges that staff discriminated against him, but he provides no information regarding how they discriminated against him. As drafted, the complaint fails to meet Rule 8(a)'s minimal pleading standard and it must be dismissed. The plaintiff's application to proceed *in forma pauperis* will be granted. An Order consistent with this Memorandum Opinion is issued separately.


DABNEY L. FRIEDRICH
United States District Judge

DATE: June 16, 2021