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

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| VALERIE FLORES, | ) | |
| | ) | |
| Plaintiff, | ) | |
| | ) | |
| v. | ) | Civil Action No. 1:23-cv-03872 (UNA) |
| | ) | |
| | ) | |
| CHANNEL 3000, et al., | ) | |
| | ) | |
| Defendants. | ) | |

**MEMORANDUM OPINION**

This matter is before the court on its initial review of plaintiff's *pro se* complaint ("Compl."), ECF No. 1, and application for leave to proceed *in forma pauperis* ("IFP"). The court grants plaintiff's IFP application and, for the reasons discussed below, it dismisses the complaint, and this matter, without prejudice.

Plaintiff, who appears to be domiciled in New York, sues eight or more defendants, but fails to provide the full names for all of them, and she further fails to provide the full addresses for all but one of them, in contravention of D.C. Local Civil Rule 5.1(c). *See* Compl. at 1–4. It is also unclear what connection many of the defendants have with one another, or to plaintiff's intended claims. *See id.* at 1–5.

The allegations themselves fare no better. The complaint contains a hodgepodge of assorted grievances, rooted in plaintiff's belief in a widespread conspiracy orchestrated by defendants, from July 2021 to date, to surveil, stalk, and harass plaintiff across "multiple states." *See id.* at 4–5. She demands an injunction, along with $4 million in damages arising from defendants' alleged violation of 18 U.S.C. § 2661. *See id*. at 1, 3, 5.

First, Federal Rule 8(a) 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). When a "complaint [] contains an untidy assortment of claims that are neither plainly nor concisely stated, nor meaningfully distinguished from bold conclusions, sharp harangues and personal comments[,]" it does not fulfill the requirements of Rule 8. *Jiggetts v. D.C.*, 319 F.R.D. 408, 413 (D.D.C. 2017), *aff'd sub nom*. *Cooper v. D.C.*, No. 17-7021, 2017 WL 5664737 (D.C. Cir. Nov. 1, 2017). "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 instant complaint falls squarely within this category. Furthermore, the complaint paragraphs are conflated and are not limited "to a single set of circumstances." *See* Fed. R. Civ. P. 10(b).

Second, even if plaintiff's intended claims were more coherent, and she had otherwise complied with the applicable Rules of Procedure, she has not established venue in the District of Columbia. Venue in a civil action is proper only in (1) the district where any defendant resides, if all defendants reside in the same state in which the district is located, (2) in a district in which a substantial part of the events or omissions giving rise to the claim occurred (or a substantial part of the property that is the subject of the action is situated), or (3) in a district in which any defendant may be found, if there is no district in which the action may otherwise be brought. *See* 28 U.S.C.

§ 1391(b); *see also* 28 U.S.C. § 1406(a) (providing dismissal for improper venue). Here, as pleaded, none of the parties are located in the District of Columbia, and there is absolutely no connection between plaintiff's allegations and this District.

Finally, even if plaintiff's claims could be understood, she cannot bring a cause of action under any of the authority upon which she relies because there is no express private right to action under the criminal statutes cited in the complaint. *See* Compl. at 3; CCS; *see also North v. Smarsh, Inc*., 160 F. Supp. 3d 63, 77 (D.D.C. 2015) (citing *RJ Prod. Co. v. Nestle USA, Inc.*, No. 10–0584, 2010 WL 1506914, at *2 n.1 (D.D.C. Apr. 15, 2010) (holding that because criminal statutes under Chapter 18 of the United States Code "do not provide for private causes of action, they cannot be used to grant plaintiff access to federal courts")); *Peavey v. Holder*, 657 F. Supp. 2d 180, 190–91 (D.D.C. 2009) (stating that no private right of action exists to enforce the federal criminal code)), *aff'd*, No. 09–5389, 2010 WL 3155823 (D.C. Cir. Aug. 9, 2010); *Prunte v. Universal Music Group*, 484 F. Supp. 2d 32, 42 (D.D.C. 2007) ("[The] Supreme Court has refused to imply a private right of action in a bare criminal statute.") (citation and internal quotation marks omitted); *Rockefeller v. U.S. Court of Appeals Offic*e, *for Tenth Circuit Judges*, 248 F. Supp. 2d 17, 23 (D.D.C. 2003) (holding that federal criminal statutes do not convey a private right of action) (collecting cases).

For all of these reasons, this case is dismissed without prejudice. A separate order accompanies this memorandum opinion.

Date: April 8, 2024

Tanya S. Chutkan

TANYA S. CHUTKAN
United States District Judge