

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

MARIANO RODRIGUEZ, :  
 :  
 Plaintiff, :  
 :  
 V. : CASE NO. 3:04CV715 (RNC)  
 :  
 FAIRFIELD POLICE :  
 DEPARTMENT, et al., :  
 :  
 Defendants. :

ORDER

Mariano Rodriguez brings this action pro se against the Fairfield Police Department and eight other defendants.<sup>1</sup> Because plaintiff's amended complaint fails to meet the requirements of Rule 8(a)(2) of the Federal Rules of Civil Procedure, it will be dismissed and plaintiff will be given an opportunity to file a second amended complaint that meets those requirements.

Rule 8(a)(2) requires that a complaint contain a "short and plain statement of the claim showing that the pleader is entitled to relief." This rule is designed to ensure that defendants have fair notice of the claims to enable them to answer and prepare for trial. Salahuddin v. Cuomo, 861 F.2d 40, 42 (2d Cir. 1988). When a complaint fails to comply with this rule, the district court may

---

<sup>1</sup> The other defendants are the United States, the Secret Service, the Federal Bureau of Investigation, the Drug Enforcement Agency, the Department of Justice, the Department of Defense, the Connecticut Department of Homeland Security, and St. Vincent's Hospital.

dismiss it sua sponte. Simmons v. Abruzzo, 49 F.3d 83, 86 (2d Cir. 1995). Dismissal is usually reserved for those cases in which the complaint is so unintelligible that its substance, if any, is well-disguised. Id.

Plaintiff's amended complaint falls far short of meeting the minimum acceptable level of pleading under Rule 8(a)(2). All three claims are unintelligible. It is impossible to tell what any defendant is alleged to have done wrong. The statements of facts are incomprehensible, and the other materials submitted by plaintiff provide no clarification. Thus, the amended complaint fails to provide fair notice of the claims, and it is hard to imagine what answer any of the defendants could make.

When a court dismisses a complaint for failure to comply with Rule 8, it generally gives the plaintiff leave to amend. Simmons, 49 F.3d at 87. Accordingly, the court grants plaintiff thirty days from the filing of this order to file a second amended complaint. If no such complaint is filed by then, or if the second amended complaint also fails to comply with Rule 8(a)(2), the action will be dismissed without further notice.

So ordered.

Dated at Hartford, Connecticut this \_\_\_\_ day of May 2004.

---

Robert N. Chatigny  
United States District Judge