

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 20-7001**September Term, 2019****1:19-cv-03349-UNA****Filed On: April 15, 2020**

Helga G. Suarez Clark,

Appellant

v.

Peru Republic,

Appellee

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BEFORE: Tatel and Millett, Circuit Judges, and Sentelle, Senior Circuit
Judge

J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the brief filed by appellant. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). Upon consideration of the foregoing, and the motion to appoint counsel, it is

ORDERED that the motion to appoint counsel be denied. In civil cases, appellants are not entitled to appointment of counsel when they have not demonstrated sufficient likelihood of success on the merits. It is

FURTHER ORDERED AND ADJUDGED that the district court's order filed November 27, 2019 be affirmed. The district court correctly dismissed the case without prejudice for failure to meet the minimum pleading standards of Federal Rule of Civil Procedure 8(a). Appellant's complaint failed to set forth "a short and plain statement" of the claims showing that she is entitled to relief. Fed. R. Civ. P. 8(a); see Ashcroft v. Iqbal, 556 U.S. 662, 677-78 (2009).

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/
Daniel J. Reidy
Deputy Clerk

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-7182**September Term, 2018****1:18-cv-01460-UNA****Filed On: April 2, 2019**

Helga G. Suarez Clark,

Appellant

v.

Carlos Castellon Cueva, et al.,

Appellees

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BEFORE: Rogers and Griffith, Circuit Judges, and Sentelle, Senior Circuit
Judge

J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the brief, supplement, and appendix filed by appellant. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). Upon consideration of the foregoing, the motion to appoint counsel, and the motion for financial assistance, it is

ORDERED that the motion to appoint counsel be denied. In civil cases, appellants are not entitled to appointment of counsel when they have not demonstrated sufficient likelihood of success on the merits. It is

FURTHER ORDERED that the motion for financial assistance be denied. It is

FURTHER ORDERED AND ADJUDGED that the district court's order filed November 5, 2018 be affirmed. The district court granted appellant's request for an extension of time to file a second amended complaint, which she did. The district court properly dismissed this case without prejudice, because appellant's second amended complaint failed to provide "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, 677-78 (2009). Appellant did not request, nor was she granted, leave to file a third

United States Court of Appeals
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No. 18-7182**September Term, 2018**

amended complaint. However, the dismissal of this case without prejudice will allow appellant to file a new complaint that meets the requirements of Rule 8(a). See Ciralsky v. CIA, 355 F.3d 661, 666 (D.C. Cir. 2004).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Ken Meadows
Deputy Clerk

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 20-7001

September Term, 2019

1:19-cv-03349-UNA

Filed On: June 3, 2020

Helga G. Suarez Clark,

Appellant

v.

Peru Republic,

Appellee

BEFORE: Tatel and Millett, Circuit Judges, and Sentelle, Senior Circuit Judge

ORDER

Upon consideration of the petition for rehearing, it is

ORDERED that the petition be denied.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Daniel J. Reidy

Deputy Clerk

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 20-7001

September Term, 2019

1:19-cv-03349-UNA

Filed On: June 3, 2020

Helga G. Suarez Clark,

Appellant

v.

Peru Republic,

Appellee

BEFORE: Srinivasan, Chief Judge, and Henderson, Rogers, Tatel, Garland, Griffith, Millett, Pillard, Wilkins, Katsas, and Rao, Circuit Judges, and Sentelle, Senior Circuit Judge

ORDER

Upon consideration of the petition for rehearing en banc, and the absence of a request by any member of the court for a vote, it is

ORDERED that the petition be denied.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Daniel J. Reidy

Deputy Clerk

meaningfully distinguished from bold conclusions, sharp harangues and personal comments.” *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). The instant complaint falls within this category.

Plaintiff, a resident of Peru, sues the country of Peru and numerous individual defendants. The prolix complaint and its accompanying exhibits total 298 pages. The complaint ranges in topics, including, but not limited to: medical malpractice, torture, discrimination, recognition of international educational degrees, conspiracy, legal malpractice, theft, loss of personal property, child custody disputes, reckless endangerment, personal injury, kidnapping, involuntary commitment, fraud, disability claims, and false arrest and imprisonment. These disparate accounts range from plaintiff’s early childhood to date. Plaintiff’s claimed damages, as far as they can be understood, include: reinstatement and amendment of her “cancelled birth certificate in Peru,” forced resignation of the entire staff of the Peruvian government and police force, revalidation of her college degrees by the Peruvian government, monetary damages, and a mandate to the UN to [sic] “answer repeated emails calls asking appointment as independent expert in human rights[.]”

The complaint fails to meet the minimum pleading standard set forth in Rule 8(a). The ambiguous and rambling allegations comprising the complaint fail to provide adequate notice of a claim. The causes of action, if any, are completely undefined. The pleading also fails to set forth allegations with respect to this court’s jurisdiction, or a valid basis for an award of damages. Therefore, the court will dismiss the complaint. An order consistent with this memorandum opinion is issued separately.

Date: November 26, 2019


United States District Judge

FILED

NOV 27 2019

Clerk, U.S. District and
Bankruptcy Courts

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HELGA SUAREZ CLARK,

Plaintiff,

v.

PERU REPUBLIC, *et al.*,

Defendants.

Civil Action No: 1:19-cv-03349 (UNA)

ORDER

For the reasons stated in the accompanying Memorandum Opinion, it is

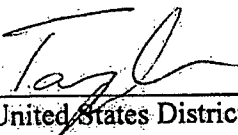
ORDERED that plaintiff's application to proceed *in forma pauperis* [2] is **GRANTED**,
and if is further

ORDERED that the complaint [1] and this case are **DISMISSED** without prejudice, and
it is further

ORDERED that plaintiff's motion for CM/ECF password [3] and motion to appoint
counsel [4] are **DENIED** as moot.

This is a final appealable Order.

Date: November 26, 2019


United States District Judge

Appendix C

seq.,t.28U.S.C.§1330,1331,1603,1605A,1605a3,5,Torture Victim
Protection Act, Pub. L. No. 102-256, 106 Stat. 73 (1992), note following 28
U.S.C. § 1350; mentioned statutes, with jurisdiction in case offenses
perpetrated against American. Plaintiff has afforded Defendants a
reasonable opportunity to arbitrate the claims in this action as required
under 28 U.S.C. § 1605A(a) in accordance with accepted international
rules.

V. SHORT AND PLAIN STATEMENT OF CLAIMS AGAINST
DEFENDANTS(A 25 PP.AMENDED COMPLAINT,AS RESUME,MAY
BE FOUND ON DOCKET DC CIRCUIT 18 1460,FILING 12 17 2018)

14 1993-present:discrimination,torture,inhumane degrading
treatment by Peru ministry of foreign relations(Ministerio de Relaciones
Exteriores RREE.gob.pe) and civil registry agents(RENIEC.gob.pe).