

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

**JUDGMENT**

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).

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**No. 20-7001**

**September Term, 2019**

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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

**JUDGMENT**

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  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

**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

**O R D E R**

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

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

FILED

NOV 27 2019

HELGA SUAREZ CLARK, ) Clerk, U.S. District and  
 ) Bankruptcy Courts  
 Plaintiff, )  
 v. ) Civil Action No: 1:19-cv-03349 (UNA)  
 )  
 PERU REPUBLIC, *et al.*, )  
 )  
 Defendants. )

MEMORANDUM OPINION

This matter is before the court on its initial review of plaintiff's *pro se* complaint 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.

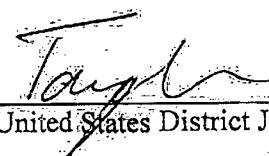
*Pro se* litigants must comply with the Federal Rules of Civil Procedure. *Jarrell v. Tisch*, 656 F. Supp. 237, 239 (D.D.C. 1987). Rule 8(a) of the Federal Rules of Civil Procedure requires complaints to contain "(1) a short and plain statement of the grounds for the court's jurisdiction [and] (2) a 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 complaint "that is excessively long, rambling, disjointed, incoherent, or full of irrelevant and confusing material will patently fail [Rule 8(a)'s] standard, and so will a complaint that contains an untidy assortment of claims that are neither plainly nor concisely stated, nor

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, )  
v. )  
Plaintiff, )  
v. ) Civil Action No: 1:19-cv-03349 (UNA)  
PERU REPUBLIC, *et al.*, )  
Defendants. )

**ORDER**

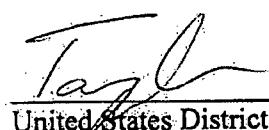
For the reasons stated in the accompanying Memorandum Opinion, it is

**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.

  
United States District Judge

Date: November 26, 2019

Appendix C

IV. JURISDICTION AND VENUE

13 NYSD court judge C.McMahon,ruled with me(18cv01740) that this Court is the only proper venue according to 28 U.S.C.s.1391 (f)(4);and that it has jurisdiction for TVPA and Antiterrorist claims simultaneously against Peru Republic and other peruvian officials and nationals, and others(28 U.S.C. § 1391 e),t.28 s.1404 a)),with subject-matter jurisdiction over Plaintiff action ,personal jurisdiction over Defendants pursuant to t.42 s.1983 civil action for deprivation of rights under color of law; Anti-Terrorism Act, 18 U.S.C. § 2333, et seq.,t.28U.S.C.§1330,1331,1603,1605A,1605a3,5,Torture Protection Act,Pub. L. No. 102-256, 106 Stat. 73 (1992), note following 28 U.S.C. § 1350;mentionned statutes, with jurisdiction in case offenses perpetrated against American.Plaaintiff 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).