

APPENDIX A

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 20-7074**September Term, 2020****1:20-cv-01598-UNA****Filed On: January 4, 2021**

Louis A. Banks and DB, Minor,

Appellants

v.

District of Columbia, et al.,

Appellees

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

BEFORE: Pillard and Rao, 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). It is

ORDERED AND ADJUDGED that the district court's June 29, 2020 order dismissing appellant's complaint, and the district court's July 29, 2020 order denying appellant's motions to reopen the case and amend the complaint, be affirmed. The district court correctly concluded that the complaint failed to meet the minimum pleading standards of Federal Rule of Civil Procedure 8(a) and Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009). The district court did not abuse its discretion in denying appellant's motion to reopen the case and to amend the complaint. See Peyton v. DiMario, 287 F.3d 1121, 1125 (D.C. Cir. 2002) (district court's denial of motion for relief pursuant to Federal Rule of Civil Procedure 59(e) reviewed for abuse of discretion); Hettinga v. United States, 677 F.3d 471, 480 (district court did not abuse discretion in denying motion to amend complaint where amendment would have been futile).

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published.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. 20-7074

September Term, 2020

1:20-cv-01598-UNA

Filed On: March 29, 2021

Louis A. Banks and DB, Minor,

Appellants

v.

District of Columbia, et al.,

Appellees

BEFORE: Pillard and Rao, 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:

Märk J. Langer, Clerk

BY: /s/

Michael C. McGrail

Deputy Clerk

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

| | | |
|--------------------------------------|---|--------------------------------|
| LOUIS A. BANKS <i>et al.</i> , |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Civil Action No. 20-1598 (UNA) |
| |) | |
| DISTRICT OF COLUMBIA <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM OPINION

This matter is before the Court on its initial review of plaintiff's *pro se* complaint, ECF No. 1, and application for leave to proceed *in forma pauperis*, ECF No. 2. 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.

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). Still, *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) 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). This standard aims to give fair notice to each defendant of the claims being asserted sufficiently to prepare a responsive answer, launch 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). In addition, a "complaint must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" *Ashcroft*

v. Iqbal, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)).

Plaintiff is a District of Columbia resident who is suing on behalf of himself and his minor child. *See* Compl. Caption. The complaint contains a long list of defendants, *see* Compl. at ECF pp. 2-3, 4, and conclusory statements, but no discernible allegations of fact. Moreover, the complaint does not comply with the local rules of this Court, requiring “[t]hose filing *pro se in forma pauperis* [to] provide in the caption the name and full residence address or official address of each party.” LCvR 5.1(c)(1). Therefore, this case will be dismissed by separate order.

SIGNED: EMMET G. SULLIVAN
UNITED STATES DISTRICT JUDGE

DATE: June 29, 2020

APPENDIX B

In the United States Court of Federal Claims

LOUIS A. BANKS, *parent of D.B., a
minor,*

Plaintiff,

v.

THE UNITED STATES,

Defendant.


No. 19-334C

Filed June 20, 2019

ORDER

On June 14, 2019, the Clerk's Office received a motion for default judgment and a declaration in support thereof from plaintiff in the above-captioned matter. Neither of these documents included proof of service, pursuant to Rule 5.3 of the Rules of the United States Court of Federal Claims. And so, the Court **WAIVES** the defect in plaintiff's proof of service and **DIRECTS** the Clerk's Office to **FILE** plaintiff's motion for default judgment and declaration in support thereof.

IT IS SO ORDERED.


LYDIA KAY GRIGGSBY
Judge