APPENDIX TABLE OF CONTENT

Page

Page

ORDER

August 25, 2023

By the Court;

UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

No. 22-3254

Achashverosh Adnah Ammiyhuwd Ngola Mbandi et al,
Petitioners-Appellants

v.

PANGEA VENTURES LLC et al,
Defendants-Appellees

District Court No. 1:22-cv-01274-JRS-TAB

Southern District of Indiana, Indianapolis Division

District Judge James R. Sweeney, II

Upon consideration of the MOTION TO STAY ISSUANCE OF MANDATE, filed on August 21, 2023, by the pro se appellants,

IT IS ORDERED that the motion to stay the mandate is DENIED.

Form name c7_Order_BTC (FORM ID: 178)

UNITED STATES COURT OF APPEALS
For the Seventh Circuit
Chicago, Illinois 60604

August 17, 2023

Before

FRANK H. EASTERBROOK, *Circuit Judge*

MICHAEL Y. SCUDDER, *Circuit Judge*

DORIS L. PRYOR, *Circuit Judge.*

No. 22-3254

Achashverosh Adnah Ammiyhuwd Ngola Mbandi and Von Maxey,
Plaintiffs-Appellants,

v.

PANGEA VENTURES LLC et al,
Defendants-Appellants,

Appeal from the District Court for the Southern District of Indiana, Indianapolis Division

No. 1:22-cv-01274-JRS-TAB
James R. Sweeney, II Judge

ORDER

Plaintiffs-Appellants Achashverosh Adnah Ammiyhuwd Ngola Mbandi and Von Maxey filed a petition for rehearing and rehearing en banc on August 2, 2023. No judge in active service has requested a vote on the petition for rehearing en banc, and all judges of the original panel have voted to deny panel rehearing.

Accordingly, the petition for rehearing and rehearing en banc is DENIED.

UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

FINAL JUDGMENT

July 17, 2023

Before

FRANK H. EASTERBROOK, *Circuit Judge*

MICHAEL Y. SCUDDER, *Circuit Judge*

DORIS L. PRYOR, *Circuit Judge.*

No. 22-3254

Achashverosh Adnah Ammiyhuwd Ngola Mbandi et al,
Petitioners

v.

PANGEA VENTURES LLC et al,
Respondents

District Court No. 1:22-cv-01274-JRS-TAB
Southern District of Indiana, Indianapolis Division

District Judge James R. Sweeney, II

We will, however, modify the judgment to reflect a dismissal without prejudice. A dismissal for want of jurisdiction, even if it finally resolves a lawsuit, is not on the merits. See *MAO-MSO Recovery II, LLC v. State Farm Mut. Auto, Ins. Co.*, 935 F.3d 573, 581 (7th Cir. 2019). But we caution the plaintiffs-appellants that the dismissal remains a final decision, and the case

is resolved. See *Carter v. Buesgen*, 10 F4th 715, 720 (7th Cir. 2021). As modified, the judgment is AFFIRMED. The above is in accordance with the decision of this court entered on July 12, 2023. Appellees can recover costs.

/s/ Christopher G. Conway
Clerk of Court

NONPRECEDENTIAL DISPOSITION

UNITED STATES COURT OF APPEALS
For the Seventh Circuit
Chicago, Illinois 60604

Submitted June 30, 2023
Decided July 12, 2023

Before

FRANK H. EASTERBROOK, *Circuit Judge*

MICHAEL Y. SCUDDER, *Circuit Judge*

DORIS L. PRYOR, *Circuit Judge.*

No. 22-3254

Achashverosh Adnah Ammiyhuwd Ngola Mbandi and Von Maxey,
Plaintiffs-Appellants,

v.

PANGEA VENTURES LLC et al,
Defendants-Appellants,

Appeal from the District Court for the Southern District of Indiana, Indianapolis Division

No. 1:22-cv-01274-JRS-TAB
James R. Sweeney, II Judge

The plaintiffs—Achashverosh Adnah Ammiyhuwd Ngola Mbandi and Von Maxey—appeal the dismissal of their wide-ranging

---

* We have agreed to decide the case without oral argument because the briefs and the record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. A PP. P. 34(a)(2)(c)

complaint, which the district court described a akin to "reading another language." The court rejected the proposed third amended complaint under Rules 8(a) and 12(b)(6) of the Federal Rules of Civil Procedure because it contained "pages of wordy, redundant, and irrelevant Allegations" that obscured the "few nubs of actual alleged fact that give a picture of the case." We do not question the conclusion that the complaint violated federal pleading rules and did not state any claim for relief, but we go farther: the plaintiffs' claims are so utterly unsubstantial that that they do not engage federal subject-matter jurisdiction.

The plaintiffs say that they are "Hebrew Israelites" and "non-citizen nationals," among other descriptors.1 Their third complaint, like those before it, sets forth a factual scenario that is hard to follow. Broadly speaking, they complain of three things. First, employees of their apartment complex's management company referred to them as "boyfriends" in a notice stating that one of them was an unauthorized inhabitant. Second, the management company twice had the plaintiffs' car—which had a "Sovereign Hebrew" and "State National Republic" license plate—towed because it lacked a valid registration and parking sticker as required by the lease's parking addendum. Third, when Ngola Mbandi went to get the car out of impound, the towing company accused him of trespassing and called the police, who in turn retaliated against the plaintiffs, in some way, for expressing their beliefs.

The plaintiffs sued various people and entities allegedly involved in each set of events, invoking as the source of applicable law everything from the Foreign Sovereign Immunities Act to the Holy Bible. On the motion of most defendants, the district court dismissed

the largely inscrutable complaint under Rule 8(a). The court explained that a valid complaint would consist of a short and "clear factual narrative," and even wrote out an 11-line summary that would "accomplish[] everything required." The court also struck a first amended complaint the plaintiffs had submitted pending its ruling and later another complaint they filed without leave. When the plaintiffs, with leave of court, submitted a proposed third amended complaint, it was still unwieldy and largely incomprehensible. The district court dismissed I —this time with prejudice— concluding that it again violated Rule 8(a) and that, to the extent any story was discernible, the allegations did not state a claim upon which relief could be granted.

[1] The plaintiffs object to the label "sovereign citizen," which they say pertains only to "so called white people (Biblical Edomites)," but the analogy is apt at least insofar as they claim not to be citizens of the United States or any State, who are nevertheless protected by, though not always required to comply with, state and federal law. See generally Bey v. Indiana, 847 F.3d 559 (7th Cir. 2017).

The plaintiffs appeal, though their brief primarily reasserts the confounding allegations that they have not clarified despite the district court's guidance. They also appear to argue that the dismissal undercuts their freedom of expression and that the court erred by not considering international laws and by holding them to the wrong pleading standard (they say they properly alleged fraud under Rule 9(b)). The appellees assert in their jurisdictional statement that the plaintiffs failed to engage federal subject-matter jurisdiction because they pleaded no claims derived from federal law and cannot show jurisdiction based on diversity of citizenship.

We must always begin by assessing whether the federal courts have subject-matter jurisdiction. See *Mathis v. Metro. Life Ins. Co.,*

12 F.4th 658, 663–64 (7th Cir. 2021). Litigants who simply cite federal statutes and say that their claims arise under federal law do not conjure federal-question jurisdiction under 28 U.S.C. § 1331 when those claims, on the face of the complaint, are "wholly insubstantial and frivolous," Bell v. Hood, 327 U.S. 678, 682–83 (1946), or "immaterial to the true thrust of the complaint and thus made solely for the purpose of obtaining jurisdiction," Greater Chi. Combine & Ctr., Inc. v. City of Chicago, 431 F.3d 1065, 1069 (7th Cir. 2005) (citation omitted).

The purported federal claims here are frivolous, wholly insubstantial, and unrelated to the disputes at the heart of the complaint. The plaintiffs had no conceivable claim no matter how they drafted the complaint. Most of the cited statutes cannot possibly be relevant, and the cryptic use of legal terms such as "retaliation" do not add substance to the exposition. We could go on, but the district court thoroughly cataloged the problems with the third amended complaint and its predecessors. Because the claims are so insubstantial that they do not engage federal-question jurisdiction, and the "stateless" plaintiffs supply no plausible basis for diversity jurisdiction under 28 U.S.C. § 1332, the case must be dismissed. See Bell, 327 U.S. at 682–83.

We will, however, modify the judgment to reflect a dismissal without prejudice. A dismissal for want of jurisdiction, even if it finally resolves a lawsuit, is not on the merits. See *MAO-MSO Recovery II, LLC v. State Farm Mut. Auto. Ins.* Co., 935 F.3d 573, 581 (7th Cir. 2019). But we caution the plaintiffs-appellants that the dismissal remains a final decision, and the case is resolved. See *Carter v. Buesgen*, 10 F.4th 715, 720 (7th Cir. 2021).

amended complaint under Rules 8(a) and 12(b)(6) of the Federal Rules of Civil Procedure because it contained "pages of wordy, redundant, and irrelevant allegations" that obscured the "few nubs of actual alleged fact that give a picture of the case." We do not question the conclusion that the complaint violated federal pleading rules and did not state any claim for relief, but we go farther: the plaintiffs' claims are so utterly unsubstantial that that they do not engage federal subject-matter jurisdiction.

The plaintiffs say that they are "Hebrew Israelites" and "non-citizen nationals," among other descriptors.1 Their third complaint, like those before it, sets forth a factual scenario that is hard to follow. Broadly speaking, they complain of three things. First, employees of their apartment complex's management company referred to them as "boyfriends" in a notice stating that one of them was an unauthorized inhabitant. Second, the management company twice had the plaintiffs' car—which had a "Sovereign Hebrew" and "State National Republic" license plate—towed because it lacked a valid registration and parking sticker as required by the lease's parking addendum. Third, when Ngola Mbandi went to get the car out of impound, the towing company accused him of trespassing and called the police, who in turn retaliated against the plaintiffs, in some way, for expressing their beliefs.

The plaintiffs sued various people and entities allegedly involved in each set of events, invoking as the source of applicable law everything from the Foreign Sovereign Immunities Act to the Holy Bible. On the motion of most defendants, the district court dismissed the largely inscrutable complaint under Rule 8(a). The court explained that a valid complaint would consist of a short and "clear factual

narrative," and even wrote out an 11-line summary that would "accomplish[] everything required." The court also struck a first amended complaint the plaintiffs had submitted pending its ruling and later another complaint they filed without leave. When the plaintiffs, with leave of court, submitted a proposed third amended complaint, it was still unwieldy and largely incomprehensible. The district court dismissed it —this time with prejudice—concluding that it again violated Rule 8(a) and that, to the extent any story was discernible, the allegations did not state a claim upon which relief could be granted.

---

[1] The plaintiffs object to the label "sovereign citizen," which they say pertains only to "so called white people (Biblical Edomites)," but the analogy is apt at least insofar as they claim not to be citizens of the United States or any State, who are nevertheless protected by, though not always required to comply with, state and federal law. See generally *Bey v. Indiana*, 847 F.3d 559 (7th Cir. 2017).

The plaintiffs appeal, though their brief primarily reasserts the confounding allegations that they have not clarified despite the district court's guidance. They also appear to argue that the dismissal undercuts their freedom of expression and that the court erred by not considering international laws and by holding them to the wrong pleading standard (they say they properly alleged fraud under Rule 9(b)). The appellees assert in their jurisdictional statement that the plaintiffs failed to engage federal subject-matter jurisdiction because they pleaded no claims derived from federal law and cannot show jurisdiction based on diversity of citizenship. We must always begin by assessing whether the federal courts have subject-matter jurisdiction. See *Mathis v. Metro. Life Ins. Co.*, 12 F.4th 658, 663–64 (7th Cir. 2021). Litigants who simply cite federal statutes and say that their claims arise under federal law do not

conjure federal-question jurisdiction under 28 U.S.C. § 1331 when those claims, on the face of the complaint, are "wholly insubstantial and frivolous," Bell v. Hood, 327 U.S. 678, 682–83 (1946), or "immaterial to the true thrust of the complaint and thus made solely for the purpose of obtaining jurisdiction," Greater Chi. Combine & Ctr., Inc. v. City of Chicago, 431 F.3d 1065, 1069 (7th Cir. 2005) (citation omitted). The purported federal claims here are frivolous, wholly insubstantial, and unrelated to the disputes at the heart of the complaint. The plaintiffs had no conceivable claim no matter how they drafted the complaint. Most of the cited statutes cannot possibly be relevant, and the cryptic use of legal terms such as "retaliation" do not add substance to the exposition. We could go on, but the district court thoroughly cataloged the problems with the third amended complaint and its predecessors. Because the claims are so insubstantial that they do not engage federal-question jurisdiction, and the "stateless" plaintiffs supply no plausible basis for diversity jurisdiction under28 U.S.C. § 1332, the case must be dismissed. See Bell, 327 U.S. at 682–83. We will, however, modify the judgment to reflect a dismissal without prejudice. A dismissal for want of jurisdiction, even if it finally resolves a lawsuit, is not on the merits. See MAO-MSO Recovery II, LLC v. State Farm Mut. Auto. Ins. Co., 935 F.3d 573, 581 (7th Cir. 2019). But we caution the plaintiffs-appellants that the dismissal remains a final decision, and the case is resolved. See Carter v. Buesgen, 10 F.4th 715, 720 (7th Cir. 2021).

United States Court of Appeals
For the Seventh Circuit
Chilcago, Illinois 60604

Appeal from the United States District Court for the Southern District of Indiana, Indianapolis Division

No. 1:22-cv-01274-JRS-TAB
James R. Sweeney, II Judge

April 11, 2023

By the Court:.

Achashverosh Adnah Ammiyhuwd Ngola Mbandi et al,
Petitioners,

v.

PANGEA VENTURES LLC et al,
Respondents.

Appeal from the District Court for the Southern District of Indiana, Indianapolis Division

No. 1:22-cv-01274-JRS-TAB
James R. Sweeney, II Judge

ORDER

A review of the section of appellees' brief captioned "Jurisdictional Statement" reveals that appellees have not complied with the requirements of Circuit Rule 28(b). That rule requires an appellee to state whether or not the jurisdictional summary in an appellant's brief is "complete and correct." If it is not, the appellee must provide a "complete jurisdictional summary."

Appellees state that appellants' statement is "not complete or correct." And, although appellees provide a jurisdictional statement, they fail to provide necessary information to establish appellate jurisdiction such as the date of entry of judgment and the date the notice of appeal was filed. This information must be provided. See Circuit Rule 28(a)(2). Accordingly,

IT IS ORDERED that appellees file a paper captioned "Amended Jurisdictional Statement" on or before April 18, 2023, that provides the omitted information noted above and otherwise complies with all the requirements of Circuit Rule 28(b), and if appellants' brief is not complete and correct, Circuit Rule 28(a) also.

IT IS FURTHER ORDERED that the Clerk DISTRIBUTE, along with the briefs in this appeal, copies of this order and appellees' "Amended Jurisdictional Statement" to the assigned merits panel.

UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

ORDER

March 31, 2023

By the Court:

No. 22-3254

Achashverosh Adnah Ammiyhuwd Ngola Mbandi et al,
Petitioners

v.

PANGEA VENTURES LLC et al,
Respondents

District Court No. 1:22-cv-01274-JRS-TAB
Southern District of Indiana, Indianapolis Division

District Judge James R. Sweeney

By the Court:

Upon consideration of the JOINT PLAINTIFFS-APPELLANTS MBUNDU VON MAXEY AND ACHASHVEROSH ADNAH AMMIYHUWD NGOLA MBANDI CHIEF AMBASSADOR APPELLATE RULE 34 MOTION ON ORAL ARGUMENT AND REQUEST FOR ORAL ARGUMENT BY CONFERENCE PURSUANT TO RULE 33, filed on February 3, 2023, by the pro se appellants,

IT IS ORDERED that the request for this

appeal to proceed without oral argument will be considered by the court in accordance Federal Rule of Appellate Procedure 34. To the extent that the appellants request a conference pursuant to Federal Rule of Appellante Procedure 33, the request is DENIED as unnecessary at this time.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

No. 1:22-cv-01274-JRS-TAB

Achashverosh Adnah Ammiyhuwd Ngola Mbandi et al,
Petitioners

v.

PANGEA VENTURES LLC et al,
Respondents

Order on Motion for Reconsideration

I. Introduction

This was a suit by two "Hebrew Israelite" sovereign citizens.[1] Apparently Plaintiffs' car, which bore neither a parking permit nor a valid license plate, was towed.

Now Plaintiffs want the Court to reconsider. Their motion for reconsideration, (ECF No. 94), however, concerns Rule 9(b), which never at issue in the case. Fed. R. Civ. P. 9(b). The Court find nothing whatever to disturb its prior conclusions.

Plaintiffs' Motion, (ECF No. 94), is denied.

SO ORDERED.

Date: 11/28/2022

/s/ James R. Sweeney II
James R. Sweeney II
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

No. 1:22-cv-01274-JRS-TAB

Achashverosh Adnah Ammiyhuwd Ngola Mbandi et al,
Petitioners

v.

PANGEA VENTURES LLC, PANGEA REAL ESTATE, PET MARTY, SCOTT LARSON, CRYSTAL BALL, ZLJS LLC, WALTER CULBERTSON, ROSALYN CULBERTSON, JOHN SLUSS, TAMARA MANDRELL ERYNN NAYLOR, CITY OF INIANAPOLIS, RANDAL TAYLOR, MARCUS SHIELD, BRENNEN T. CASTRO, COREY SANDERS and COURTNEY JAYNES,
Respondents

Final Judgment

Pursuant to the the Order also issued this day, all claims by Plaintiffs Mbandi and Maxey are dismissed with prejudice. Plaintiffs shall take nothing by way of their Complaint against Defendants. This is a final judgment under Federal Rule of Civil Procedure 58. This case is closed.

Date: 11/18/2022

Roger A. G. Sharpe, Clerk

By: /s/ Samantha Burmester
Deputy Clerk, U.S. District Clerk

/s/ James R. Sweeney II
James R. Sweeney II
United States District Judge
Southern District Indiana

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

No. 1:22-cv-01274-JRS-TAB

Achashverosh Adnah Ammiyhuwd Ngola Mbandi et al,
Petitioners

v.

PANGEA VENTURES LLC et al,
Respondents

Order on Third Amended Complaint

I. Introduction

This was a suit by two "Hebrew Israelite" sovereign citizens.[1] Apparently Plaintiffs' car, which bore neither a parking permit nor a valid license plate, was towed.

The Court by Order of November 8, 2022, (ECF No. 81), dismissed pro se Plaintiffs' complaint without prejudice and with leave to amend. The Court gave Plaintiffs specific instructions on what they needed to do for their case to proceed; it even included an example complaint that would have met the requirements of Rule 8 of the Federal Rules of Civil Procedures. (Order 4, ECF No. 81.) The Court warned that failure to comply with the instructions would result in dismissal of the case.00000

Plaintiffs filed a Motion for leave to amend, (ECF No. 91-1), and attached a proposed Third Amended Complaint, (ECF No. 91), which runs to 39 pages. The Court screens that complaint now under Rule 8 and Rule 12(b)(6) standards. *Stanard v. Nygren*, 658 F.3d 792, 797 (7th Cir. 2011).

II. Legal Standard "

"A Rule 12(b)(6) motion tests 'the legal sufficiency of a complaint,' as measured against the standards of Rule 8(a)." G*unn v. Cont'l Cas. Co.,* 968 F.3d 802, 806 (7th Cir. 2020) (quoting *Runnion v. Girl Scouts of Greater Chi. and Nw. Ind.*, 786 F.3d 510, 526 (7th Cir. 2015)). Rule 8(a) requires that the complaint contain a short and plain statement showing that the pleader is entitled to relief. Fed. R. Civ. P. 8(a)(2). "To meet this standard, a plaintiff is not required to include 'detailed factual allegations,'" but the factual allegations must "state a claim to relief that is plausible on its face." *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007). A claim is facially plausible if it "pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009) (citing *Twombly*, 550 U.S. at 556). When considering a motion to dismiss for failure to state a claim, courts "take all the factual allegations in the complaint as true," *Iqbal*, 556 U.S. at 678, and draw all reasonable inferences in the plaintiff's favor, *Roberts v. City of Chicago*, 817 F.3d 561, 564 (7th Cir. 2016). Courts need not, however, accept the truth of legal conclusions, and "[t]hreadbare recitals of the elements of a cause of action, spported by mere conclusory statements, do not suffice." *Iqbal*, 556 U.S. at 678.

Rule 8(a) requires that the complaint contain a "short and plain statement of the grounds for the court's jurisdiction," Fed. R. Civ. P. 8(a)(1), and a "short and plain statement of the claim showing that the pleader is entitled to relief," Fed. R. Civ. P. 8(a)(2). Furthermore, "each allegation must be simple, concise, and direct." Fed. R. Civ. P. 8(d)(1). The Court must and shall give Plaintiffs some leeway here because they are pro se, *Erickson v. Pardus*, 551 U.S. 89, 94 (2007), but they are not wholly "excused from compliance with procedural rules," *Pearle Vision, Inc. v. Romm*, 541 F.3d 751, 758 (7th Cir. 2008) (citing *McNeil v. United States*, 508 U.S. 106, 113 (1993)).

III. Discussion

A. Rule 8 Sufficiency

Plaintiffs have not improved the clarity of their complaint. Rule 8 requires a "short and plain" statement. The proposed amended complaint is 39 pages of near-nonsense. A typical paragraph of Plaintiffs' complaint reads like this:

> On July 1, 2021, Plaintiffs found published in bad faith for all to see on their private unit B an undisputed false defamatory per se, in the alternative per quod libel, slanders, with malice sexual in nature statement negotiable instrument.

(Pls.' Third Am. Compl. 12 ¶ 95, ECF No. 91.) What apparently happened is that Plaintiffs' landlord posted a notice on their apartment door which read in relevant part, "[i]t has been noted and per your admission, that you have allowed your boyfriend[] to live in your unit without getting prior authorization from the office." (ECF No. 1-1 at 5.) Plaintiffs, two men, apparently

take offense at the suggestion that they are boyfriends.

As another example, Plaintiffs write

> On May 3, 2022, and June 1, 2022, and upon information and belief, Defendants, ZLJS LLC, IFW, Sluss, Jaynes, had Naylor dispatched truck 99, and operator Sanders to drive a 27-mile radius for storage, disposal fees, false and fraudulent advertising.

(Pls.' Third Am. Compl. 16 ¶ 128, ECF No. 91.) What apparently happened is that the towing company came out to tow their car.

Then, of course, there are the many paragraphs that read like this:

> Defendants are in violation of the Holy Bible, the United Nations Charter (1945) expressed position, peoples have the right to self- determination pursuant to Article 1 of Chapter 1, within law of nations, and Human Rights Covenants Article 5(1).

(Pls.' Third Am. Compl. 24 ¶ 190, ECF No. 91.)

To understand the complaint, then, the Court (and Defendants) must sort through pages of wordy, redundant, and irrelevant allegations to find the few nubs of actual alleged fact that give a picture of the case. It is like translating from another language. The Court finds that Plaintiffs have failed to comply with Rule 8, and their motion could be denied on that basis alone.

B. Failure to State a Claim

The few alleged facts also fail to state a claim upon which relief may be granted. Fed. R.

Civ. P. 12(b)(6). This case apparently concerns three events, none of which gives rise to a legal claim for relief.

Plaintiffs allege that on July 1, 2021, their landlord left a defamatory note on their door. (Pls.' Third Am. Compl. 12–13, ECF No. 91.) The note was attached to an earlier version of the complaint; it is not defamatory as a matter of law. See *James v. McGuiness,* 190 N.E.3d 945 (Ind. Ct. App. 2022) (comments about homosexual lifestyle not actionable as a matter of law).

Plaintiffs allege that on May 3, 2022, and again on June 1, 2022, their car was towed from their apartment parking lot. (Pls.' Third Am. Compl. 14–16, ECF No. 91.) But they do not allege facts that lead to a plausible inference that the towing was unlawful. Indeed, their previous exhibits suggest the opposite: Plaintiffs seem to admit that they lacked a valid parking permit, and they attach a lease addendum saying they agreed to be towed without one. (ECF No. 1-1 at 18.) They also attach a photo of their "Sovereign Hebrew" "State National Republic" license plate, which alone justifies towing under the lease. (ECF No. 1-1 at 31.)

Finally, Plaintiffs allege that on June 2, 2022, the police did something to them at the tow yard which violated their rights. But those allegations (e.g., "Defendants the City of Indianapolis, Taylor, Shields and Castro while acting under color of foreign law and in concert with all of the defendants negligently, maliciously, intentionally, unlawfully, illegally, and discriminatively retaliated against Plaintiffs") are legal conclusions rather than facts. (Pls.' Third Am. Compl. 21–23, ECF No. 91.) It is impossible to tell what the police are supposed to have done. (The Court suspects,

from Plaintiffs' evasive telling, that Plaintiffs were trespassing or causing a disturbance at the tow yard and the police were called to keep order.)

IV. Conclusion

Plaintiffs squandered their chance to amend. The proposed amended complaint suffers from the same defects as the previous complaints. It fails to comply with Rule 8's demand for a "short and plain" statement, and, to the extent it is comprehensible, it fails to state a claim upon which relief can be granted as required to survive a Rule 12(b)(6) motion. Fed. R. Civ. P. 8, 12(b)(6).

The Court will not further indulge Plaintiffs in their folly. U.S. ex rel. Garst v. Lockheed-Martin Corp., 328 F.3d 374, 378 (7th Cir. 2003) (The Court "ha[s] better things to do, and the substantial subsidy of litigation (court costs do not begin to cover the expense of the judiciary) should be targeted on those litigants who take the preliminary steps to assemble a comprehensible claim.").

Plaintiffs' Motion to Amend the Complaint, (ECF No. 91-1), is denied. The Third Amended Complaint, presently docketed, (ECF No. 91), is not operative. Further leave to amend is denied as futile.

All claims against Defendants are dismissed with prejudice. All pending motions, (ECF No. 89, 90), are denied as moot.

This case is closed. Final judgment shall issue separately.

SO ORDERED.

Date: 11/18/2022

/s/ James R. Sweeney II
James R. Sweeney II
United Stated District Judge
Southern District of Indiana

Additional material from this filing is available in the Clerk's Office.