

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT GEARHART : CIVIL ACTION
v. :
CITY OF PHILADELPHIA POLICE, et al. : NO. 06-0130

M E M O R A N D U M

O'NEILL, J. FEBRUARY , 2006

Plaintiff, a prisoner, has filed a pro se civil rights complaint against the Philadelphia Police Department and nine police officers.

Federal Rule of Civil Procedure 8(a)(2) provides that a pleading setting forth a claim for relief shall contain "a short and plain statement of the claim showing that the pleader is entitled to relief." A civil rights complaint, like any other civil action, must be pled with sufficient specificity to give "the defendant fair notice of what claim is being pressed against him so that he can make an adequate response." Loftus v. Southeastern Pa. Transp. Auth., 843 F. Supp. 981, 986 (E.D. Pa. 1994) (citing Conley v. Gibson, 355 U.S. 41, 47 (1957)).

Plaintiff's complaint is illegible, thus depriving the defendants of fair notice to allow them to respond to his claims. Since plaintiff is pro se, he will be granted leave to file an amended complaint to meet this pleading infirmity.

If plaintiff intends to pursue this case, he must file an amended complaint which contains all of his claims, and in which he describes as legibly, clearly and briefly as possible: (1) the specific events or conditions which violated his constitutional

rights; (2) the name of each person who violated his constitutional rights; (3) the dates on which his constitutional rights were violated; (4) the harm he suffered, if any, from each violation; and (5) the specific relief he is requesting. Plaintiff is reminded of the requirement that he plead specific fact paragraphs in his amended complaint, and that the caption of his complaint must contain the names of all of his defendants.

An appropriate order follows.

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O R D E R

AND NOW, this day of February, 2006, in accordance with
the Memorandum filed this date,

IT IS ORDERED that:

1. Leave to proceed in forma pauperis is GRANTED.
2. This complaint is DISMISSED pursuant to 28 U.S.C. § 1915(e), with leave to amend as specified in the Memorandum within thirty (30) days of the date of this Order. Upon the filing of an amendment, the Clerk shall not make service until so ORDERED by the Court.

BY THE COURT:

THOMAS N. O'NEILL, JR., J.