

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RICHARD SOELDNER,

Plaintiff,

v.

THE BANK OF NEW YORK and
NATIONAL GRID PLC,

Defendants.

ORDER

06-C-384-C

On July 13, 2006, plaintiff paid the \$350 fee for filing a civil action in this court and filed a document entitled "Complaint." In the normal course of events, such an action would constitute the filing of a civil lawsuit and the complaint would be served upon the defendants named in the complaint's caption. However, plaintiff's complaint contains no caption. Instead, on the second page of another untitled document submitted by plaintiff are the following words:

File

Number

VS.

SUMMONS

The Bank of

New York
Chairman of
the Board
One Wall Street
New York
New York
10286

National Grid
PLC
Chairman of the Board
1-3 Strand
London, England
WC 2M 5EH
United Kingdom

Defendant

From this, I infer that the plaintiff is trying to file a lawsuit against defendants Bank of New York and National Grid PLCA, and perhaps against their board chairmen as well.

The complaint itself is garbled and incoherent. Plaintiff alleges he is “owed common stock,” though by whom he does not say. Although the complaint numbers 79 handwritten pages, it tells no story and does not hint at what wrongs plaintiff believes he has suffered.

Pages of legal definitions are followed by Joycean stream of consciousness:

Questions and Cross Examination

**The
Wife's
Reproductive
System
and**

How
It
Operates

Masters
of
Ladies
Pussy

Masters
of
Ladies
Pussy

**I
Object
To
These
Questions**

**No
Objections Sustained**

The
Wife
Is
Being
Granted
**Immunity
From Prosecution**
If the Wife
Does Refuse to
Testify, the Wife
Shall
Be
Jailed
on

Contempt
of
Court

* * *

The
Plaintiff
Has
The
Burd[e]n
of
Proof

It Is
A
Reasonable
Amount

In
Common
Stock

In
Common
Stock

At the end of the complaint are photographs of two unidentified men. Each picture is accompanied by a nonsensical caption. In short, the “complaint” is the expressive work of a troubled mind. It is not a legal pleading that may be served on opposing parties.

Rule 8 of the Federal Rules of Civil Procedure requires a litigant to include in his complaint a short, plain statement of the grounds for this court's jurisdiction and a short,

plain statement of the claim the plaintiff is raising. Plaintiff did neither of these things when he drafted his complaint. Under normal circumstances, I would provide a plaintiff with an opportunity to amend his complaint before dismissing his lawsuit. Here, however, it is clear that there is nothing to amend or to dismiss. This “complaint” is not legally recognizable, despite the title plaintiff assigned to it. Therefore, because plaintiff has not in fact commenced a lawsuit at all, I will refund his filing fee and direct the clerk of court to close this file.

ORDER

IT IS ORDERED that the clerk of court is directed to refund plaintiff the \$350 he submitted to the clerk’s office on July 13, 2006, and close this file.

Entered this 17th day of July, 2006.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge