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

WILMER B. GAY : CIVIL ACTION  
v. :  
JOSEPH D. LEHMAN : NO. 91-5959



MEMORANDUM

SHAPIRO, J. OCTOBER 10, 1991

Plaintiff, currently incarcerated in the State Correctional Institution at Pittsburgh, has attempted to file a pro se complaint under 18 U.S.C. §1964, the Racketeer Influenced and Corrupt Organizations Act (RICO), against Commissioner Lehman, Superintendent Vaughn of the State Correctional Institution at Graterford, Attorney General Preate and Judge Cohill of the United States District Court for the Western District of Pennsylvania. Plaintiff has filed a complaint seventy nine (79) pages long.

With his complaint, plaintiff filed a request for leave to proceed in forma pauperis. As it appears he is unable to pay the cost of commencing this action, leave to proceed in forma pauperis is granted.

Plaintiff's complaint contains lengthy and somewhat confusing allegations. Plaintiff complaint is more like a daily diary of the last year and a half which contains allegations

10-8-91 to  
Capas 3.8.91  
Legal opinion



against numerous people not named as defendants. Rule 8 of the Federal Rules of Civil Procedure requires that a complaint contain a short and plain statement of plaintiff's claim showing that he is entitled to relief. Although plaintiff is pro se, the request for an orderly complaint is not beyond his capabilities. Since plaintiff is pro se he will given leave to amend his complaint. In plaintiff's amended he should set forth in paragraphs each individual and the role they played in the RICO allegations. Plaintiff is reminded that this need not be as voluminous as his original complaint is and that he need not make legal arguments at this stage.

For the reasons set forth plaintiff's complaint is dismissed with leave to amend to submit a more orderly complaint.

IN THE UNITED STATES DISTRICT COURT  
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WILMER B. GAY

v.

JOSEPH D. LEHMAN

CIVIL ACTION

NO. 91-5959

ORDER

AND NOW, this 7th day of October, 1991,  
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 as frivolous pursuant to 28 U.S.C. §1915(d), 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.

  
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NORMA L. SHAPIRO, J.