

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 18-14492
Non-Argument Calendar

D.C. Docket No. 4:18-cv-00021-RH-CAS

MICKEY BRITT,

Plaintiff – Appellant,

versus

UNITED STATES GOVERNMENT, et al.,

Defendants – Appellees.

Appeal from the United States District Court
for the Northern District of Florida

(May 8, 2019)

Before MARTIN, BRANCH, and JULIE CARNES, Circuit Judges.

PER CURIAM:

Mickey Britt, who is proceeding pro se, appeals the district court's dismissal of his second amended complaint. After careful consideration, we affirm.

I.

Mickey Britt filed a lawsuit against the United States government on behalf of himself and "We the People." He challenged unspecified "drug laws" and asserted that the government had "tak[en] [his] right to make a decision." Unsure of the basis for the action, a Magistrate Judge ordered Britt to amend his complaint to provide specific factual allegations, indicate his causes of action, and otherwise comply with the Federal Rules of Civil Procedure.

In response, Britt amended his complaint. But the magistrate judge found the amended complaint deficient because, among other things, it did not include a short and plain statement of Britt's claim and did not request any relief. Again, the magistrate judge advised Britt he must comply with the Federal Rules of Civil Procedure, including Rule 8's requirement that a complaint must include a "short and plain statement of the claim showing that" plaintiff is entitled to relief and "a demand for the relief sought." Fed. R. Civ. P. 8(a). The magistrate judge also advised that failure to amend to meet the requirements of the Federal Rules and

Local Rules of the Northern District of Florida could result in dismissal of Britt's action.

Britt again amended his complaint. This time, he detailed the factual basis for his claims—namely, his view that laws criminalizing drug possession violate the Constitution. But Britt left blank portions of the complaint form directing him to specify his claims and requested relief.

The magistrate judge advised the district court to dismiss Britt's second amended complaint for failing to comply with the Court's prior orders, the Federal Rules of Civil Procedure, and the Local Rules of the Northern District of Florida. In particular, the magistrate judge explained that the second amended complaint (1) did not feature a case style that included the name of the court, the case number, and the names of the parties, as required by the Local Rules; (2) did not include any information about the nature of Britt's claim or about the relief requested; (3) did not include the signature required by Federal Rule of Civil Procedure 11(a); and (4) did not plead facts showing his rights had been violated. The magistrate judge underscored that Britt had already been provided with several opportunities to conform his complaint to the rules and that further opportunities to amend were not warranted.

The district court adopted the magistrate judge's report and recommendation and dismissed Britt's second amended complaint for failure to state a claim upon

which relief may be granted. Britt then filed a motion asking the district court to reconsider the dismissal. The District Court denied the motion for reconsideration. Britt now appeals.

II.

This Court reviews de novo a district court's dismissal of a complaint for failure to state a claim. Mitchell v. Farcass, 112 F.3d 1483, 1490 (11th Cir. 1997). We review for abuse of discretion a district court's dismissal for failure to comply with the rules of the court. Zocaras v. Castro, 465 F.3d 479, 483 (11th Cir. 2006). Even though we construe pro se pleadings liberally, pro se litigants are still required to comply with the court's procedural rules. Albra v. Advan, Inc., 490 F.3d 826, 829 (11th Cir. 2007) (per curiam).

III.

The district court did not err in dismissing Britt's second amended complaint for failing to state a claim and for failing to comply with court rules and prior court orders.

Federal Rule of Civil Procedure 8 requires pleadings to contain "a short and plain statement of the claim showing that the pleader is entitled to relief." Fed. R. Civ. P. 8(a)(2). This means "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, 129 S. Ct. 1937, 1949 (2009) (quotation marks omitted).

Britt's second amended complaint did not have any factual allegations giving rise to a claim and did not identify a cause of action. It thus plainly did not satisfy the requirements of Rule 8.

Beyond that, a district court may sua sponte dismiss a case under the authority of Federal Rule of Civil Procedure 41(b) or the court's inherent power to manage its docket. See Fed. R. Civ. P. 41(b); Betty K Agencies, Ltd. v. M/V MONADA, 432 F.3d 1333, 1337 (11th Cir. 2005). The Magistrate Judge expressly informed Britt of the deficiencies in his complaint, the rules he needed to follow in filing an amended complaint, and the possibility of dismissal if he failed to follow those rules. Despite having two opportunities to amend, Britt did not file a complaint that complied with the Federal and Local Rules and the court's prior orders. The district court later adopted the Magistrate Judge's report and recommendation. Therefore, the district court's dismissal of Britt's complaint was also appropriate under Federal Rule 41(b) and its inherent authority.¹

AFFIRMED.

¹ Britt's opening brief does not argue that the district court improperly denied his motion for reconsideration. He has therefore abandoned this argument. See Timson v. Sampson, 518 F.3d 870, 874 (11th Cir. 2008) (per curiam). In any event, a motion for reconsideration under Federal Rule of Civil Procedure 59(e) may only be granted based on newly discovered evidence or manifest errors of law or fact. Fed. R. Civ. P. 59(e). Britt did not bring forward new evidence or identify any manifest errors of law or fact. Therefore the district court did not abuse its discretion in denying Britt's motion for reconsideration.