

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-14291
Non-Argument Calendar

MELISSA MADAFFARI,

Plaintiff-Appellant,

versus

HAYES G. WOOD,
PAMELA SIEGEL,
FLORIDA PENINSULA INSURANCE CO.,
THE FLORIDA BAR,
SHANELLE SCHUYLER,
ACAP Intake Director,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Florida
D.C. Docket No. 0:25-cv-61917-WPD

Before ROSENBAUM, NEWSOM, and BRASHER, Circuit Judges.

PER CURIAM:

Melissa Madaffari appeals *pro se* from the district court’s dismissal of her second amended complaint brought against at least twenty defendants, which alleged violations of the Civil Racketeer Influenced and Corrupt Organizations (“RICO”) Act, Title II of the Americans with Disabilities Act (“ADA”), and Florida statutes. She asserts that the district court erred by dismissing her complaint as a shotgun pleading and for failure to state a claim, violated her due process rights by failing to consider her numerous filings, and erred by ignoring her request for ADA accommodations. She also argues that the district court judge should have recused himself.

After careful review, we reject Madaffari’s arguments and affirm the district court.

I. Background

Madaffari initiated civil litigation in the Southern District of Florida. She asserted federal claims under the civil provisions of the RICO Act, *see* 18 U.S.C. §1964(c), and the ADA, *see* 42 U.S.C. §12132, as well as alleging related state-law claims for fraud and conspiracy. Soon after she filed an amended complaint in October 2025, the magistrate judge granted Madaffari’s motion for leave to proceed *in forma pauperis* (“IFP”), screened the amended complaint under 28 U.S.C. § 1915(e)(2), and determined that the complaint was deficient and needed to be amended.

The magistrate judge determined that Madaffari’s amended complaint was an “impermissible shotgun pleading.” As the magistrate judge explained, Madaffari had named twenty individuals

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and entities as defendants but “fail[ed] to allege what acts or omissions any individual Defendant has committed.” Instead, the magistrate judge continued, Madaffari had relied on “vague and conclusory” allegations of wrongdoing. The magistrate judge also concluded that the allegations were too vague and conclusory to establish a viable claim.

So the magistrate judge directed Madaffari to file a second amended complaint within fourteen days. In so doing, the magistrate judge instructed Madaffari that the second amended complaint must be a “single document that contains all of [her] allegations against Defendants,” in compliance with Federal Rules of Civil Procedure 8 and 10, and that she “may attach any relevant exhibits to the Second Amended Complaint.” The magistrate judge warned that she would “recommend [] dismissal of this matter” if Madaffari failed to file an amended pleading that complied with the federal rules and the court’s order.

Madaffari promptly filed a second amended complaint, along with several attachments. Again, Madaffari named twenty (or more) defendants who allegedly “operated as an association-in-fact enterprise,” but she failed to include any factual details about what acts or omissions any individual defendant committed.

In describing the claims, the second amended complaint simply recited the elements of the causes of action and referenced an attached exhibit, which contained a table listing the name, role, and “verified misconduct” of each defendant. But apart from con-

clusory assertions that the defendants engaged in various misconduct—such as fraud, sabotage, retaliation, perjury, collusion, breaches of patient privacy, and “ADA exclusion”—the exhibit failed to offer any underlying factual details about the defendants’ conduct. Instead, it cited various “exhibits” not attached to the pleading. Another attachment vaguely indicated that Madaffari’s claims arose from “judicial, administrative, and insurance” proceedings relating to a claim for mold damage at her home and alleged that the defendants had acted with the “shared purpose of suppressing verified harm, obstructing judicial relief, and concealing settlement exposure.”

Meanwhile, over the course of the litigation, Madaffari regularly filed motions and evidence. Among other things, these filings purported to document criminal conduct, to show inconsistencies and patterns of “suppression” in the defendants’ positions through “contradiction mapping,” to document respiratory injury and educational risk to her minor children, and to vaguely request accommodations under the ADA. Madaffari also filed several motions for recusal, seeking the removal of the magistrate and district court judges who had been assigned to her case.

U.S. District Judge Rodney Smith recused from the case. The case was then reassigned to U.S. District Judge William P. Dimitrouleas. The next day, Judge Dimitrouleas entered an order dismissing the second amended complaint with prejudice.

The district court found that the second amended complaint remained a shotgun pleading because it provided “nearly no factual

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allegations with respect to the actions committed by each Defendant,” which prevented individualized scrutiny of its claims and wasted judicial resources. For similar reasons, the court found that Madaffari’s conclusory allegations failed to state a plausible claim to relief. Nor, the court determined, did Madaffari’s attachments supply the missing factual predicate for her claims. Instead, the court said, they “contain[ed] further references to filings and documents outside the pleading,” in violation of the magistrate judge’s order. The court directed the clerk to close the case and deny as moot any pending motions. Madaffari timely noticed an appeal of this decision.

Only after filing her notice of appeal did Madaffari move to remove Judge Dimitrouleas and the assigned magistrate judge, asserting that the dismissal order reflected bias and prejudice against her, and requesting other relief from the judgment. The district court denied the motion, finding that it lacked jurisdiction because of the pending appeal, and that judicial rulings were not grounds for recusal, in any event. Madaffari did not separately appeal that ruling.

II. Discussion

On appeal, Madaffari argues that (1) the district court erred in dismissing her second amended complaint and failing to consider her filings, and (2) the district court judge should have recused himself under 28 U.S.C. § 455(a). We conclude that the district court did not abuse its discretion in dismissing Madaffari’s second amended complaint as a shotgun pleading. And we hold that we

lack jurisdiction to consider Madaffari's claim that the district court judge abused his discretion when he did not recuse himself. We therefore affirm in part and dismiss in part for lack of jurisdiction.

A.

We review for abuse of discretion review a district court's dismissal of a complaint as a shotgun pleading. *Barmapov v. Amuial*, 986 F.3d 1321, 1324 (11th Cir. 2021). Here, the district court did not abuse its discretion by dismissing the second amended complaint as a shotgun pleading.

"A shotgun pleading is a complaint that violates either Federal Rule of Civil Procedure 8(a)(2) or Rule 10(b), or both." *Id.* A complaint must contain "a short and plain statement of the claim showing that the pleader is entitled to relief." Fed. R. Civ. P. 8(a)(2). "A party must state its claims . . . in numbered paragraphs, each limited as far as practicable to a single set of circumstances." Fed. R. Civ. P. 10(b). And "[i]f doing so would promote clarity," then "each claim founded on a separate transaction or occurrence . . . must be stated in a separate count." *Id.* Such pleading practice ensures, among other things, that a pleader presents his claims discretely and succinctly to allow his adversary to discern the claims and respond. *Barmapov*, 986 F.3d at 1324.

We've explained that "the spirit, if not the letter," of the Federal Rules "flatly forbid[s]" shotgun pleadings because they are confusing and "waste scarce judicial resources, inexorably broaden the scope of discovery, wreak havoc on appellate court dockets, and

undermine the public’s respect for the courts.” *Id.* (quotation marks omitted). So we have “little tolerance” for them. *Id.* at 1324.

We’ve identified “four rough types or categories of shot-gun pleadings”: those that (1) contain “multiple counts where each count adopts the allegations of all preceding counts”; (2) are “replete with conclusory, vague, and immaterial facts not obviously connected to any particular cause of action”; (3) do “not separate each cause of action or claim for relief into” separate counts; or (4) assert “multiple claims against multiple defendants without specifying which of the defendants are responsible for which acts or omissions.” *Id.* at 1324–25 (quotation marks omitted). Our “shot-gun-pleading rule applies to everyone, [but] we ordinarily give pro se litigants more leeway when it comes to drafting.” *Pinson v. JPMorgan Chase Bank, Nat’l Ass’n*, 942 F.3d 1200, 1208 (11th Cir. 2019) (emphasis omitted).

Still, “[a] district court has the inherent authority to control its docket and ensure the prompt resolution of lawsuits, which includes the ability to dismiss a complaint on shotgun pleading grounds.” *Vibe Micro, Inc. v. Shabanets*, 878 F.3d 1291, 1295 (11th Cir. 2018) (quotation marks omitted). Before dismissing a complaint on shotgun-pleading grounds, though, the court must “*sua sponte* allow a litigant one chance to remedy such deficiencies.” *Id.* The court should “explain how the offending pleading violates the shotgun pleading rule” and order the plaintiff to replead the case. *Id.* at 1295–96. Once a court does so, if the plaintiff persists in the defects, the district court acts within its discretion by “dismissing

the case with prejudice on shotgun pleading grounds.” *Jackson v. Bank of America, N.A.*, 898 F.3d 1348, 1358 (11th Cir. 2018).

Here, the district court did not abuse its discretion in dismissing the second amended complaint as a shotgun pleading. Even construed liberally, Madaffari’s second amended complaint fails “to identify [her] claims with sufficient clarity to enable the defendant[s] to frame a [responsive] pleading.” *Sledge v. Goodyear Dunlop Tires N. Am., Ltd.*, 275 F.3d 1014, 1018 n.8 (11th Cir. 2001). The second amended complaint names at least twenty defendants and asserts violations of the RICO Act, the ADA, and Florida statutes, but it does not allege any specific facts describing what each individual defendant did, when, or how those actions harmed Madaffari.

For example, in Count 1, Madaffari alleged a Civil RICO claim under 18 U.S.C. § 1962(c). But in support, Madaffari made only conclusory statements that the “[d]efendants operated as an enterprise engaging in a pattern of racketeering activity. Acts include mail fraud, wire fraud, obstruction, retaliation, and suppression of sealed filings.” The complaint offers similar insufficient conclusory allegations with no factual basis as support for Counts 2, 3, and 4.

While Madaffari included additional details in attachments to her second amended complaint, none of the attachments contained information about specific acts or omissions each defendant engaged in. One exhibit included a table purporting to identify predicate acts and each defendant’s individual role, but the table

did not list any specific acts for each defendant. Rather, the table simply noted the statutes the defendants allegedly violated and made conclusory statements about each defendant's misconduct without any factual basis.

As a result, neither the defendants nor the district court could discern from the complaint what conduct was attributed to whom, or what claims were asserted against which defendants. Because the complaint was "replete with allegations that 'the defendants' engaged in certain conduct" without a way to determine what each defendant was accused of doing or which claims applied to whom, the complaint was correctly dismissed as a shotgun pleading. *Magulta v. Samples*, 256 F.3d 1282 (11th Cir. 2001).

The district court gave Madaffari notice of these pleading deficiencies when the magistrate judge screened her amended complaint. But Madaffari still failed to cure them in the second amended complaint. Thus, the district court did not abuse its discretion in dismissing the second amended complaint as a shotgun pleading.¹ *Vibe Micro*, 878 F.3d at 1295.

Madaffari raises several other arguments on appeal. None warrant relief. Madaffari contends that the district court violated her due-process rights by disregarding her various motions and ev-

¹ The district court's order also found Madaffari failed to state a claim. But because we agree with the district court that the complaint failed on shotgun-pleading grounds alone, we need not and do not reach whether the complaint independently failed under Federal Rule of Civil Procedure 12(b)(6).

identitary submissions, and by deeming them moot upon dismissing the case. But she has not shown that she was denied a reasonable opportunity to be heard on her allegations or was otherwise subject to unfair procedures. *See, e.g., Mathews v. Eldridge*, 424 U.S. 319, 333 (1976) (“The fundamental requirement of due process is the opportunity to be heard at a meaningful time and in a meaningful manner.”) (quotation marks omitted).

Consistent with the federal rules, our precedent, and the IFP screening requirements of § 1915(e)(2)(B)(ii), the district court ordered Madaffari to submit her allegations and any exhibits as part of a single filing, and the court warned her that the failure to do so could result in dismissal of the case. Thus, in reviewing the sufficiency of her second amended complaint, the district court had no reason or obligation to consider allegations or evidence presented in other filings that were not attached to that pleading. *See Adinolfi v. United Techs. Corp.*, 768 F.3d 1161, 1168 (11th Cir. 2014) (stating that it’s “improper [to] focus on evidence outside the four corners of the second amended complaints in addressing the legal sufficiency of those complaints”). While courts must liberally construe *pro se* pleadings, *Tannenbaum v. United States*, 148 F.3d 1262, 1263 (11th Cir. 1998), they may not “rewrite an otherwise deficient pleading in order to sustain an action,” *Campbell v. Air Jamaica Ltd.*, 760 F.3d 1165, 1168–69 (11th Cir. 2014) (quotation marks omitted). And the record otherwise shows that the district court properly considered the attachments to Madaffari’s second amended complaint when it dismissed that pleading.

Madaffari also asserts that the district court failed to consider her “ADA accommodation requests.” But she does not identify what accommodations she requested or how they affected the proceeding. Insofar as Madaffari sought leave to e-file, it’s clear from the record that this limitation did not harm her ability to litigate the case, given her more than 200 filings over a three-month period. In short, the district court did not abuse its discretion by dismissing Madaffari’s second amended complaint with prejudice as a shotgun pleading.

B.

Generally, we review for abuse of discretion a judge’s decision whether to recuse himself. *Jenkins v. Anton*, 922 F.3d 1257, 1271–72 (11th Cir. 2019). But appellate courts may consider only those rulings that the appellant has designated for review in the notice of appeal. *Weatherly v. Ala. State Univ.*, 728 F.3d 1263, 1271 (11th Cir. 2013). While we don’t apply technical rules rigidly when interpreting the notice of appeal, we will not infer an intent to challenge an omitted order unless that intent is evident from the notice itself. *Id.*; see *Pitney Bowes, Inc. v. Mestre*, 701 F.2d 1365, 1374–75 (11th Cir. 1983).

Before us, Madaffari argues that Judge Dimitrouleas, who entered the dismissal order, should have recused himself. But Madaffari did not move for Judge Dimitrouleas’s recusal until after the final dismissal order on appeal was entered on December 16, 2025. And she did not file a notice of appeal from the ruling on that mo-

tion. Madaffari's notice of appeal designates only the dismissal order, and a notice of appeal generally does not confer jurisdiction to review other, later orders. *Id.* So we lack jurisdiction to review the denial of recusal.² We therefore dismiss this aspect of Madaffari's appeal.

III.

For these reasons, we affirm the district court's dismissal of Madaffari's complaint, and we dismiss Madaffari's appeal to the extent she purports to challenge Judge Dimitrouleas's decision not to recuse himself.

AFFIRMED IN PART and DISMISSED IN PART.

² We nevertheless note, though, that we see no basis to conclude that Judge Dimitrouleas abused his discretion by not recusing himself, as no objective observer would have found his impartiality to be in question. *See United States v. Berger*, 375 F.3d 1223, 1227 (11th Cir. 2004) (reviewing a recusal request for plain error). Madaffari sought recusal based on adverse judicial rulings, which are not a proper basis for recusal. *See Byrne v. Nezhat*, 261 F.3d 1075, 1103 (11th Cir.2001) (“[A]dverse rulings alone do not provide a party with a basis for holding that the court’s impartiality is in doubt.”). The fact that the court reviewed Madaffari’s state-court cases in attempting to discern the factual grounds for her lawsuit does not show bias or prejudice.