

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF  
OKLAHOMA

Brett Alan Hodson v. US Court Western District

Hodson · No. CIV-26-00010-JD · Decided January 6, 2026

SUMMARY

The United States District Court for the Western District of Oklahoma strikes Brett Alan Hodson’s pro se complaint for failing to satisfy Federal Rule of Civil Procedure 8 and pleading-plausibility requirements. The court grants leave to amend by January 27, 2026, and warns that failure to amend or comply with procedural rules will result in dismissal without prejudice.

CASE DETAILS

|                    |                                                                                                                                                                                                                                             |
|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT              | United States District Court for the Western District of Oklahoma                                                                                                                                                                           |
| JURISDICTION       | United States District Court for the Western District of Oklahoma                                                                                                                                                                           |
| DECIDED            | January 6, 2026                                                                                                                                                                                                                             |
| DOCKET             | CIV-26-00010-JD                                                                                                                                                                                                                             |
| DISPOSITION        | other                                                                                                                                                                                                                                       |
| PROCEDURAL POSTURE | Plaintiff filed a pro se civil-rights complaint. On initial review, the district court struck the complaint for failure to comply with Federal Rule of Civil Procedure 8 and controlling pleading precedent, while granting leave to amend. |
| STANDARD OF REVIEW | The court reviewed the pro se complaint for compliance with Federal Rule of Civil Procedure 8 and whether it stated a plausible claim for relief under Bell Atlantic Corp. v. Twombly and Ashcroft v. Iqbal.                                |
| PRECEDENTIAL VALUE | Unknown                                                                                                                                                                                                                                     |

TOPICS

pleadings civil procedure

PRACTICE AREAS

civil procedure civil rights

QUESTIONS PRESENTED

1. Whether the complaint complied with Federal Rule of Civil Procedure 8(a)(2) and 8(d).

2. Whether the complaint alleged sufficient factual content to state a plausible claim for relief under Twombly and Iqbal.
3. Whether the court should permit amendment rather than dismiss the action immediately.

#### HOLDINGS

1. A complaint that consists of conclusory allegations and lacks factual assertions identifying the alleged actors, conduct, timing, and basis for liability fails to comply with Rule 8 and does not adequately state a claim.
2. Liberal construction of a pro se complaint does not authorize the court to supply additional factual allegations or construct a claim on the plaintiff's behalf.
3. Because the deficiencies could potentially be cured through amendment, the court struck the complaint and granted Plaintiff leave to file an amended complaint rather than dismissing the action immediately.

#### KEY QUOTATIONS

*“The Federal Rules of Civil Procedure require that a complaint contain “a short and plain statement of the claim showing that the pleader is entitled to relief.””*

*“Here, Plaintiff’s Complaint consists of conclusory allegations, without supporting factual assertions explaining who engaged in the alleged conduct, what actions were taken, when they occurred, or how those actions plausibly give rise to a cognizable legal claim.”*

*“Accordingly, the Court STRIKES Plaintiff’s Complaint [Doc. No. 1]. However, the Court will give Plaintiff an opportunity to cure the deficiencies by filing an amended complaint by the deadline set forth in this Order.”*

#### FACTUAL BACKGROUND

Plaintiff proceeded pro se and filed a complaint asserting allegations that the court found conclusory. The complaint did not provide supporting factual assertions identifying the actors, conduct, timing, or facts plausibly connecting the alleged conduct to a cognizable legal claim.

#### PROCEDURAL HISTORY

Brett Alan Hodson filed his complaint on January 5, 2026. The district court determined that the complaint consisted of conclusory allegations and did not identify who engaged in the alleged conduct, what actions were taken, when they occurred, or how those actions plausibly supported a cognizable legal claim. The court struck the complaint, granted leave to file an amended complaint by January 27, 2026, and warned that failure to amend would result in dismissal without prejudice.

#### DISPOSITION

other

#### REMAND INSTRUCTIONS

No remand. Plaintiff was granted leave to file an amended complaint by January 27, 2026. Failure to do so, or failure to comply with the order and cited authorities, would result in dismissal without prejudice.

#### CASES CITED

- Mann v. Boatright, 477 F.3d 1140, 1148 (10th Cir. 2007)
- Haines v. Kerner, 404 U.S. 519 (1972)
- Whitney v. New Mexico, 113 F.3d 1170, 1173-74 (10th Cir. 1997)
- Hall v. Bellmon, 935 F.2d 1106, 1110 (10th Cir. 1991)
- Kay v. Bemis, 500 F.3d 1214, 1217 (10th Cir. 2007)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Link v. Wabash R.R. Co., 370 U.S. 626, 630-31 (1962)

#### INSTRUCTIONS FOR AN AI ASSISTANT

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