

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
NORTH CAROLINA

Brian Turner v. Ron Parrish, et al.

Turner · No. 1:26-CV-00011 · Decided March 9, 2026

SUMMARY

The United States District Court for the Middle District of North Carolina adopted a magistrate judge's recommendation to dismiss Brian Turner's complaint under 28 U.S.C. § 1915(e)(2)(B). The dismissal was without prejudice, and the court permitted the plaintiff to file a new complaint complying with Federal Rule of Civil Procedure 8(a).

CASE DETAILS

COURT	United States District Court for the Middle District of North Carolina
JURISDICTION	United States District Court for the Middle District of North Carolina
DECIDED	March 9, 2026
DOCKET	1:26-CV-00011
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's recommendation under 28 U.S.C. § 636(b), considered Plaintiff's timely objections de novo, adopted the recommendation, and dismissed the complaint without prejudice.
STANDARD OF REVIEW	De novo review of portions of the magistrate judge's recommendation to which objections were made under 28 U.S.C. § 636(b)(1)(C).
PRECEDENTIAL VALUE	Unknown

TOPICS

[pleadings](#) [motions to dismiss](#) [civil procedure](#) [section 1983](#)

PRACTICE AREAS

[civil procedure](#) [civil rights](#)

QUESTIONS PRESENTED

- Whether the complaint satisfied Federal Rule of Civil Procedure 8(a)'s requirement of a short and plain statement showing entitlement to relief.

2. Whether the district court should adopt the magistrate judge's recommendation and dismiss the complaint under 28 U.S.C. § 1915(e)(2)(B) after conducting de novo review of Plaintiff's objections.

HOLDINGS

1. A pro se complaint must still satisfy the pleading requirements of the Federal Rules of Civil Procedure, including providing enough facts to state a claim for relief and fair notice of the grounds on which the claims rest. Plaintiff's complaint did not meet those requirements.
2. The district court properly adopted the magistrate judge's recommendation and dismissed the action without prejudice under 28 U.S.C. § 1915(e)(2)(B).

KEY QUOTATIONS

“liberal construction does not mean overlooking the pleading requirements under the Federal Rules of Civil Procedure.” (Order at 1)

FACTUAL BACKGROUND

Plaintiff Brian Turner filed a pro se complaint against Ron Parrish and other defendants. The magistrate judge determined that the complaint failed to satisfy the pleading requirements of Federal Rule of Civil Procedure 8(a) and recommended dismissal under 28 U.S.C. § 1915(e)(2)(B). After receiving and considering Plaintiff's objections, the district court concluded that the complaint did not provide enough facts to state a claim for relief or fair notice of the grounds for the claims.

PROCEDURAL HISTORY

The magistrate judge issued a January 20, 2026 recommendation that the complaint be dismissed under 28 U.S.C. § 1915(e)(2)(B). The recommendation was served on Plaintiff, who timely objected. The district court conducted a de novo review of the challenged portions, adopted the recommendation, and ordered dismissal without prejudice, allowing Plaintiff to file a new complaint complying with Federal Rule of Civil Procedure 8(a).

DISPOSITION

dismissed

CASES CITED

- Giarratano v. Johnson, 521 F.3d 298, 304 n.5 (4th Cir. 2008)
- Bing v. Brivo Sys., LLC, 959 F.3d 605, 618 (4th Cir. 2020)

OPINION

1 345 § > g rift = MAR ~ 9 2026 IN THE UNITED STATES DISTRICT COURT eg aes
shor pst court FOR THE MIDDLE DISTRICT OF NORTH CAROLINA ON ype
BRIAN TURNER,)) Plaintiff,)) V.) 1:26-CV-00011) RON PARRISH, et al.,)) Defendants.)

ORDER This matter is before the Court for review of the Text Order and Recommendation (“Recommendation”) filed on January 20, 2026, by the Magistrate Judge in accordance with 28 U.S.C. § 636(b).

In the Recommendation, the Magistrate Judge recommends that Plaintiffs complaint should be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B). The Recommendation was served on Plaintiff on January 20, 2026. Dkt. 4. Plaintiff filed timely objections to the Recommendation. Dkt. 5. This Court is required to “make a de novo determination of those portions of the [Magistrate Judge’s] report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C).

This Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the [M]agistrate [J]udge...[] or recommit the matter to the [M]agistrate [J]udge with instructions.” Id. This Court has considered Plaintiff’s arguments in his objections and has made a de novo determination which is in accord with the Magistrate Judge’s Recommendation.

Federal Rule of Civil Procedure 8(a)(2) requires only a “short and plain statement of the claim showing that the pleader is entitled to relief.” But that statement must still include “enough facts to state a claim to relief’ and give the defendant “fair notice of... the grounds upon which [the claims] rest[.]” *Giarratano v. Johnson*, 521 F.3d 298, 304 n.5 (4th Cir.

2008). Although the Court must construe a pro se complaint liberally, “liberal construction does not mean overlooking the pleading requirements under the Federal Rules of Civil Procedure.” *Bing v. Brivo Sys., LLC*, 959 F.3d 605, 618 (4th Cir. 2020).

Because Plaintiff’s complaint does not meet these standards, this Court adopts the Magistrate Judge’s Recommendation. Plaintiff may file a new complaint in accordance with the requirements of Federal Rule of Civil Procedure 8(a). IT IS THEREFORE ORDERED that the Magistrate Judge’s Recommendation is ADOPTED and this action is DISMISSED WITHOUT PREJUDICE. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 9th day of March 2026. DSEY REEMAN □ UNITED STATES DISTRICT JUDGE -2-