

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Scotty Lee White v. Susan E. Bindler, et al.

White · No. 25-cv-08605-JST · Decided January 14, 2026

SUMMARY

The United States District Court for the Northern District of California strikes three unauthorized amended complaints, dismisses the operative amended complaint for failure to comply with Federal Rule of Civil Procedure 8, and grants leave to amend. The court denies several pending motions as moot, directs the plaintiff not to file additional documents until amending the complaint, and continues the case management conference.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Jon S. Tigar
JURISDICTION	United States District Court for the Northern District of California
DECIDED	January 14, 2026
DOCKET	25-cv-08605-JST
DISPOSITION	other
PROCEDURAL POSTURE	The court considered the operative amended complaint and multiple pending motions in a federal civil action. It struck three unauthorized amended complaints, dismissed the operative amended complaint sua sponte for failure to comply with Federal Rule of Civil Procedure 8, granted leave to amend, and denied pending motions as moot.
STANDARD OF REVIEW	The court applied the pleading requirements of Federal Rule of Civil Procedure 8 and determined whether dismissal was appropriate sua sponte because the complaint was confusing, verbose, and failed to state comprehensible grounds for jurisdiction and relief.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status unknown
PARTIES	Scotty Lee White v. Susan E. Bindler, Cape Girardeau, Maureen W. Gornik, Scott S. Harris, Christy M. Hency, Rush H. Limbaugh, III, Missouri District Court

TOPICS

motion to amend

pleadings

motions to dismiss

subject matter jurisdiction

civil procedure

PRACTICE AREAS

civil procedure

federal jurisdiction

QUESTIONS PRESENTED

1. Whether the amended complaints filed after the first amendment were authorized under Federal Rule of Civil Procedure 15 without written consent or leave of court.
2. Whether the operative amended complaint complied with Federal Rule of Civil Procedure 8.
3. Whether the pending motions should be denied as moot because the operative pleading was dismissed.

HOLDINGS

1. A party may amend a pleading once as a matter of course within the time specified by Rule 15(a), but subsequent amendments require the opposing party's written consent or the court's leave. Because White obtained neither for the later amendments, the complaints at ECF Nos. 36, 43, and 46 were properly stricken.
2. A complaint that is excessively long, confusing, redundant, irrelevant, or conclusory and does not provide a short and plain statement of jurisdiction, the claims, and the requested relief fails to comply with Rule 8 and may be dismissed sua sponte.
3. After dismissing the Rule 8-deficient complaint, the court granted White leave to file a compliant amended complaint within 21 days or advise the court that he did not intend to amend.
4. The court denied the specified pending motions as moot because the operative pleading had been dismissed and no operative pleading remained.

KEY QUOTATIONS

“Accordingly, White was entitled to file the amended complaint at ECF No. 32 as a matter of course, but was not entitled to file any of his subsequent complaints because he did not obtain leave of court.” (at 1)

“It is impossible for the Court to determine from these allegations what happened, much less whether the complaint states cognizable claims.” (at 2)

“The Court will dismiss White’s complaint because it fails to comply with Rule 8.” (at 3)

FACTUAL BACKGROUND

White's operative amended complaint was 164 pages long and attached 27 pages of exhibits. It addressed numerous apparently unrelated matters involving proceedings and officials in Missouri, the District of Columbia, and the Eighth Circuit, making it impossible for the court to determine what happened or whether cognizable claims were stated. The complaint also failed to identify understandable grounds for jurisdiction in the Northern District of California and attached extensive evidence that did not support the asserted claims.

PROCEDURAL HISTORY

White filed the original complaint on October 8, 2025, followed by amended complaints on December 10, December 11, December 18, 2025, and January 12, 2026. The court held that the first amended complaint was filed as of right, but the later amendments required leave of court and therefore were stricken. The court dismissed the operative amended complaint with leave to amend and denied specified pending motions as moot because no operative pleading remained.

DISPOSITION

other

CASES CITED

- Polk v. Beard, No. EDCV 13-1211-BRO, 2014 WL 4765611, at *5 (C.D. Cal. June 20, 2014), report and recommendation adopted, No. EDCV 13-1211-BRO RNB, 2014 WL 4757503 (C.D. Cal. Sept. 24, 2014), aff'd, 692 F. App'x 938 (9th Cir. 2017)
- Glendale Outpatient Surgery Ctr. v. United HealthCare Servs. Inc., No. 2:18-CV-10550-SVW-SS, 2019 WL 8888305, at *1 (C.D. Cal. Mar. 26, 2019)
- Trevizo v. Webster, No. CV 17-5868-MWF (KS), 2018 WL 6137625, at *4 (C.D. Cal. Nov. 20, 2018)
- Washington v. City of Glendale Police Dep't, No. 2:18-CV-06519-CBM(MAA), 2019 WL 13243998, at *1 (C.D. Cal. Apr. 4, 2019)
- Cafasso v. Gen. Dynamics C4 Sys., 637 F.3d 1047, 1058-59 (9th Cir. 2011)
- Nicolescu v. United Nations Org., No. CV 04-2720 NM, 2005 WL [citation incomplete in source]

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6 7
SCOTTY LEE WHITE, Case No. 25-cv-08605-JST 8 Plaintiff, OMNIBUS ORDER STRIKING
AMENDED COMPLAINTS, 9 v. DISMISSING OPERATIVE COMPLAINT, AND DENYING
10 SUSAN E. BINDLER, et al., PENDING MOTIONS AS MOOT 11 Defendants. Re: ECF No.
11, 32, 34, 36, 37, 38, 39, 41, 43, 46, 48 12 13 On October 8, 2025, Plaintiff Scotty White filed a
complaint in this case against 14 Defendants Susan E. Bindler, Cape Girardeau, Maureen W.
Gornik, Scott S. Harris, Christy M. 15 Hency, Rush H. Limbaugh, III, and the Missouri District
Court.

ECF No. 1. He thereafter filed 16 amended complaints on December 10, 2025, ECF No. 32;
December 11, 2025, ECF No. 36; 17 December 18, 2025, ECF No. 43; and January 12, 2026, ECF
No. 46. 18 Rule 15(a)1 provides that: 19 A party may amend its pleading once as a matter of
course no later than: (A) 21 days after serving it, or (B) if the pleading is one to 20 which a
responsive pleading is required, 21 days after service of a responsive pleading or 21 days after
service of a motion under Rule 21 12(b), (e), or (f), whichever is earlier.

22 Fed. R. Civ. P. 15(a). Rule 15(b) makes clear that “[i]n all other cases, a party may amend its 23
pleading only with the opposing party’s written consent or the court’s leave.” Fed. R. Civ. 15(b).

24 Accordingly, White was entitled to file the amended complaint at ECF No. 32 as a matter of 25 course, but was not entitled to file any of his subsequent complaints because he did not obtain 26 leave of court.

The complaints at ECF Nos. 36, 43, and 46 are hereby stricken. The amended 27 1 complaint at ECF No. 32 (hereafter “the complaint”) is the operative complaint in this action.2 2 Turning to that pleading, the Court finds that the operative complaint fails to conform to 3 the requirements set forth in Rule 8. That rule requires that a pleading must contain (1) “a short 4 and plain statement of the grounds for the court’s jurisdiction”; (2) “a short and plain statement of 5 the claim showing that the pleader is entitled to relief”; and (3) “a demand for the relief sought.” 6 The complaint is neither short nor plain.

The body of the complaint is 164 pages long, and 7 it attaches 27 pages of exhibits. The complaint is largely incomprehensible. The many unrelated 8 topics on which the complaint touches include a case filed by nominal plaintiff Cheryl Bullock in 9 the United States District Court for the District of Columbia; an apparently different lawsuit 10 pending in the United States District Court for the Eastern District of Missouri; motion practice in 11 the United States Court of Appeals for the Eighth Circuit; alleged derogations of duty by 12 employees of that circuit court, including “denial of petitions for writs of mandamus without 13 cause, failure to respond to requests for clarification regarding returned filings, improper return of 14 filing fees, unauthorized changes of judicial assignment, and threats to dismiss cases based on 15 undocketed summonses”; violations of the Rules of Civil Procedure and the local rules of the 16 United States District Court for the Eastern District of Missouri; and the submission by “hundreds 17 of individuals” of “formal notices of grievance, rebuke, and remonstrance addressed to officials 18 including Donald Trump, Pam Bondi, Neil Gorsuch, Clarence Thomas, John Roberts, Amy Coney 19 Barrett, Samuel Alito, Sonia Sotomayor, Brett Kavanaugh, Ketanji Brown Jackson, Elena Kagan, 20 Ashanda, and Katie Hendrick.” ECF No. 32.

21 It is impossible for the Court to determine from these allegations what happened, much 22 less whether the complaint states cognizable claims. In the order denying White’s “emergency 23 motion for protective order,” which was based on a prior complaint, the Court observed that 24 White’s complaint “fails to present any cognizable statutory or common law basis for relief.” ECF 25 No. 9 at 1–2.

The same is equally true of the amended complaint. “[T]he Court is not obligated to 26 endlessly sift through plaintiff’s rambling, confusing, repetitive factual allegations in an attempt to 27 1 construct cognizable claims on plaintiff’s behalf.” *Polk v. Beard*, No. EDCV 13-1211-BRO, 2014 2 WL 4765611, at *5 (C.D. Cal. June 20, 2014), report and recommendation adopted, No. EDCV 3 13-1211-BRO RNB, 2014 WL 4757503 (C.D.

Cal. Sept. 24, 2014), *aff'd*, 692 F. App'x 938 (9th Cir. 2017). The complaint also fails to show grounds for jurisdiction in this Court, given that the 5 events described seem to have occurred exclusively in either Missouri or the District of Columbia. 6 ECF No. 32. White also attaches extensive evidence to his complaint, none of which support his 7 claims for relief.

ECF No. 32-1-6. 8 “[A] court... may dismiss a complaint sua sponte under Rule 8 on the ground that the 9 complaint ‘is so confusing that its true substance, if any, is well disguised.’” *Glendale Outpatient 10 Surgery Ctr. v. United HealthCare Servs. Inc.*, No. 2:18-CV-10550-SVW-SS, 2019 WL 8888305, 11 at *1 (C.D. Cal. Mar. 26, 2019) (quoting *Trevizo v. Webster*, No. CV 17-5868-MWF (KS), 2018 12 WL 6137625, at *4 (C.D.

Cal. Nov. 20, 2018)) (internal citations omitted). “[A] complaint that is 13 too verbose, long, confusing, redundant, irrelevant, or conclusory may be dismissed for failure to 14 comply with Rule 8.” *Washington v. City of Glendale Police Dep't*, No. 2:18-CV-06519- 15 CBM(MAA), 2019 WL 13243998, at *1 (C.D. Cal. Apr. 4, 2019) (citing *Cafasso v. Gen. 16 Dynamics C4 Sys.*, 637 F.3d 1047, 1058-59 (9th Cir.

2011)). The Court will dismiss White's 17 complaint because it fails to comply with Rule 8. 18 The Court grants leave to amend. Plaintiff may file an amended complaint within 21 days. 19 Plaintiff is also counseled to specify only the Defendants he currently intends to sue in the new 20 complaint and file a proposed summons only for the Defendants included in the amended 21 complaint.

22 White has also filed 21 motions over the past three months. These motions largely suffer 23 from the same problems identified above with White's complaint. Furthermore, because there is 24 no longer an operative pleading, the pending motions are moot, and the Court denies them on that 25 basis. Plaintiff is directed not to file any additional documents until the amended complaint is 26 filed.

Plaintiff is advised that a future complaint that again fails to comply with Rule 8 may be 27 dismissed with prejudice. *Nicolescu v. United Nations Org.*, No. CV 04-2720 NM, 2005 WL 1 complaints with prejudice, after a plaintiff has been given one or more opportunities to comply 2 || with Rule 8.”) (citation modified). 3 For the foregoing reasons, the Court orders as follows: 4 1.

The complaints at ECF Nos. 36, 43, and 46 are stricken. 5 2. The amended complaint at ECF No. 32 is dismissed with leave to amend. Within 6 || 21 days of the order, Plaintiff must either: (1) file an amended complaint that complies with Rule 7 8; or (2) advise the Court that Plaintiff does not intend to file an amended complaint. 8 3.

The Court denies the motions at ECF Nos. 11, 34, 37, 38, 39, 41, and 48 as moot. 9 4. The case management conference scheduled for January 20, 2026 is continued to 10 || April 28, 2026 at 2:00 p.m. An updated case management statement is due April 21, 2026. 11 IT IS SO ORDERED. 12

Dated: January 14, 2026.. JON S. TIGA 14 United States District Judge 18 19 20 21 22 23 24 25
26 27 28

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