

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, TAMPA DIVISION

Andray McWilliams v. Equal Employment Opportunity Commission
and United States

McWilliams · No. 8:25-cv-03445-MSS-AAS · Decided February 2, 2026

SUMMARY

The United States District Court for the Middle District of Florida grants the defendants’ motion for a more definite statement under Federal Rule of Civil Procedure 12(e). The court finds that the amended complaint is an impermissible shotgun pleading because it contains vague and conclusory allegations, fails to link facts to specific claims and defendants, and includes allegations concerning nonparties. The court also directs the plaintiff to provide facts sufficient to establish proper venue and requires a second amended complaint by February 27, 2026.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Tampa Division
WRITING FOR THE COURT	Amanda Arnold Sansone
JURISDICTION	United States District Court for the Middle District of Florida, Tampa Division
DECIDED	February 2, 2026
DOCKET	8:25-cv-03445-MSS-AAS
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved under Federal Rule of Civil Procedure 12(e) for a more definite statement and requested that plaintiff comply with Rule 8. The court granted the motion and required plaintiff to file a second amended complaint addressing pleading deficiencies and venue.
STANDARD OF REVIEW	The court applied Federal Rule of Civil Procedure 8(a)'s short-and-plain-statement requirement and Rule 12(e)'s standard for determining whether a pleading is too vague or ambiguous to permit a reasonable response. The court also considered venue under 28 U.S.C. § 1391(e) (1), including whether a substantial part of the relevant events occurred in the Middle District of Florida.

TOPICS

motion for a more definite statement

pleadings

venue

civil procedure

ada / disability

PRACTICE AREAS

civil procedure

federal employment law

administrative law

civil rights

ada / disability

QUESTIONS PRESENTED

1. Whether plaintiff's amended complaint was so vague, conclusory, and improperly structured that defendants could not reasonably prepare a response under Federal Rules of Civil Procedure 8 and 12(e).
2. Whether the amended complaint adequately identified which defendants were responsible for which alleged acts and which factual allegations supported each claim.
3. Whether plaintiff's amended complaint alleged sufficient facts to permit the court to determine whether venue was proper in the Middle District of Florida under 28 U.S.C. § 1391(e)(1).

HOLDINGS

1. The amended complaint was an impermissible shotgun pleading because it consisted largely of conclusory, vague, and immaterial allegations, failed to link factual allegations to cognizable claims, and did not specify which defendant was responsible for which acts or omissions.
2. A motion for a more definite statement was appropriate because the amended complaint failed to satisfy minimal federal pleading requirements and was too unintelligible to permit defendants to frame a responsive pleading.
3. The amended complaint did not allege sufficient facts to permit the court to determine whether venue was proper in the Middle District of Florida, so plaintiff was required to include additional venue-related facts in the second amended complaint.

KEY QUOTATIONS

“A party may move for a more definite statement when a pleading’s lack of clarity makes it unreasonable to prepare a response.” (at 2)

“The most common type—by a long shot—is a complaint containing multiple counts where each count adopts the allegations of all preceding counts, causing each successive count to carry all that came before and the last count to be a combination of the entire complaint.” (at 4)

FACTUAL BACKGROUND

Plaintiff alleged that he suffered a stroke, was transported to a psychiatric ward, became wheelchair-bound, and experienced other impairments. He alleged that the EEOC failed to provide meaningful accommodations, relocation assistance, mediation, or career support, and described communications concerning EEOC filing

deadlines. His amended complaint also referred to conduct by the USPS and its postmaster, neither of whom was named as a defendant.

PROCEDURAL HISTORY

Plaintiff initially sued the EEOC in Florida state court. The EEOC removed the action to federal court and moved to dismiss for lack of jurisdiction and failure to state a claim. Plaintiff filed an amended complaint adding the United States and asserting claims under the ADA, Fifth Amendment, APA, and FTCA. The court denied the original motion to dismiss as moot and granted defendants' subsequent motion for a more definite statement.

DISPOSITION

other

REMAND INSTRUCTIONS

Defendants' motion for a more definite statement was granted. By February 27, 2026, plaintiff was ordered to file a properly pleaded second amended complaint containing information sufficient to determine whether venue is proper.

CASES CITED

- Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662 (2009)
- Conley v. Gibson, 355 U.S. 41, 47 (1957)
- Scarfato v. National Cash Register Corp., 830 F. Supp. 1441, 1443 (M.D. Fla. 1993)
- Mills v. MJ Employment Services, Inc., No. 5:09-CV-15-OC-10GRJ, 2009 WL 10670479, at *1 (M.D. Fla. Apr. 22, 2009)
- Extreme Crafts VII, LLC v. Cessna Aircraft Co., No. 10-80292-CIV, 2010 WL 11561180 (S.D. Fla. Dec. 6, 2010)
- R.W. v. School Board of St. Lucie County, Florida, No. 15-14300-CIV, 2015 WL 13877890, at *1 (S.D. Fla. Nov. 9, 2015)
- Anderson v. District Board of Trustees of Central Florida Community College, 77 F.3d 364, 366 (11th Cir. 1996)
- Swierkiewicz v. Sorema N.A., 534 U.S. 506, 512 (2002)
- Barmapov v. Amuial, 986 F.3d 1321, 1324 (11th Cir. 2021)
- Charlemagne v. Florida, No. 23-24533-CIV, 2024 WL 2093646 (S.D. Fla. Apr. 16, 2024)
- Davis v. Coca-Cola Bottling Co. Consolidated, 516 F.3d 955, 979-80 & n.54 (11th Cir. 2008)
- Weiland v. Palm Beach County Sheriff's Office, 792 F.3d 1313, 1320-23 (11th Cir. 2015)
- Finch v. Carnival Corp., No. 23-CV-21704, 2023 WL 7299780, at *4 (S.D. Fla. Nov. 6, 2023)
- Jackson v. Bank of America, N.A., 898 F.3d 1348, 1356-57 (11th Cir. 2018)
- Ashbury v. Arriaga, No. 8:25-CV-162-TPB-TGW, 2025 WL 756591, at *3 n.1 (M.D. Fla. Feb. 20, 2025)

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