

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Ruiz v. Gottlieb

Ruiz · No. CIV-26-00177-JD · Decided February 10, 2026

SUMMARY

The United States District Court for the Western District of Oklahoma strikes Serena Ruiz’s pro se complaint for failing to satisfy Federal Rule of Civil Procedure 8 and for omitting sufficient factual allegations and jurisdictional grounds. The court grants leave to amend by February 24, 2026, warning that failure to do so 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	February 10, 2026
DOCKET	CIV-26-00177-JD
DISPOSITION	other
PROCEDURAL POSTURE	The pro se plaintiff filed a civil-rights complaint. The district court, on its own review of the pleading, struck the complaint for failure to comply with Federal Rule of Civil Procedure 8 and granted leave to amend.
STANDARD OF REVIEW	The court reviewed the pro se Complaint for compliance with Federal Rule of Civil Procedure 8 and plausibility under Bell Atlantic Corp. v. Twombly and Ashcroft v. Iqbal, while construing the allegations liberally under Haines v. Kerner.
PRECEDENTIAL VALUE	Unknown; district court order labeled per curiam with no reporter citation
PARTIES	Serena Ruiz v. Brian Gottlieb

TOPICS

- pleadings
- civil procedure
- subject matter jurisdiction

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the Complaint complied with Federal Rule of Civil Procedure 8(a)(1), 8(a)(2), and 8(d).
2. Whether the Complaint alleged sufficient factual content to state a plausible claim for relief.
3. Whether the Complaint stated a basis for the district court's subject matter jurisdiction.
4. Whether the plaintiff should be given an opportunity to amend before dismissal.

HOLDINGS

1. The Complaint failed to comply with Rule 8 because it did not provide a short, plain, simple, concise, and direct statement of a claim showing entitlement to relief.
2. The Complaint failed to state a plausible claim for relief because it contained conclusory assertions unsupported by factual content showing that the defendant was liable for alleged misconduct.
3. The Complaint failed to assert grounds for the district court's jurisdiction.
4. The plaintiff was granted leave to file an amended complaint by February 24, 2026, before the action would be dismissed without prejudice for failure to cure the pleading deficiencies.

KEY QUOTATIONS

“The Complaint therefore fails to state a plausible claim for relief under Twombly and Iqbal. It also fails to assert grounds for the Court’s jurisdiction.” (Order)

“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.” (Order)

FACTUAL BACKGROUND

Serena Ruiz filed a pro se Complaint against Brian Gottlieb. The pleading consisted of two conclusory assertions and a request for issuance of mandamus, without explaining how the defendant's conduct supported a cognizable legal claim or what harm the plaintiff suffered. The Complaint also did not state grounds for the district court's jurisdiction.

PROCEDURAL HISTORY

Plaintiff filed the Complaint on February 2, 2026. The district court reviewed the pleading and determined that it contained only two conclusory assertions and a request for mandamus, lacked facts supporting a cognizable claim, and failed to state grounds for federal jurisdiction. The court struck the Complaint, granted leave to file an amended complaint by February 24, 2026, and warned that failure to comply would result in dismissal without prejudice.

DISPOSITION

other

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)