

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 20-7015

September Term, 2019

1:19-cv-03468-UNA

Filed On: June 3, 2020

Robert W. Johnson,

Appellant

v.

Progressive Max Insurance Company, et al.,

Appellees

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BEFORE: Henderson and Rao, Circuit Judges, and Sentelle, Senior Circuit
Judge

J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the brief and appendix filed by appellant. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

ORDERED AND ADJUDGED that the district court's order filed January 8, 2020, be affirmed. Appellant has not shown that the district court abused its discretion in dismissing the case without prejudice for failure to comply with Federal Rule of Civil Procedure 8(a). See *Ciralsky v. CIA*, 355 F.3d 661, 668 (D.C. Cir. 2004). Under Rule 8(a), a complaint must set forth "a short and plain statement of the claim showing that the pleader is entitled to relief." Fed. R. Civ. P. 8(a)(2); see *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (A complaint that offers only "labels and conclusions" that are not supported by factual allegations does not satisfy Rule 8(a)'s pleading requirements.)

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Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Daniel J. Reidy
Deputy Clerk