UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

GARY SIPPLE BEY, Plaintiff, v. DENNIS JONES, et al., Defendants.	Case No. 26-4050-DDC-RES

REPORT AND RECOMMENDATION

Because pro se Plaintiff Gary Sipple Bey proceeds in forma pauperis ("IFP"), his pleadings are subject to screening under 28 U.S.C. § 1915(e)(2)(B). Additionally, all litigants must comply with the Federal Rules of Civil Procedure, including Rule 8(a)(2), which requires "a short and plain statement of the claim showing that the pleader is entitled to relief[.]"

On June 1, 2026, the Court entered an IFP Screening Case Management Order "to: (1) provide the pro se Plaintiff with a brief overview of the screening process; (2) notify Plaintiff of some of the problems the Court has identified from a preliminary review of his original Complaint; and (3) put Plaintiff on notice that he can file an amended complaint 'as a matter of course,' which simply means that Plaintiff can file one amended complaint at this time without the need to file a motion for leave to amend his complaint." ECF No. 5 at 1. That Order expressly notified Plaintiff that his pleadings must comply with Rule 8(a)(2) and that a violation of that Rule is a sufficient reason to dismiss a case. *Id.* at 3, 5.

The Court granted Plaintiff up to and including June 22, 2026, to file an amended complaint as a matter of course and stated that if Plaintiff declined to file an amended complaint, the Court would screen the original complaint. *Id.* at 4. After Plaintiff declined to file an amended complaint

by the deadline, the Court sua sponte extended the deadline up to and including July 17, 2026, given that Plaintiff had noted potential mail issues impacting service in his other cases. *See* ECF No. 6 at 2. That order strongly encouraged Plaintiff to file an amended complaint and warned him that it was likely the Magistrate Judge would recommend dismissal of the Complaint without providing another opportunity to amend. *Id.* Plaintiff never filed an amended complaint.

For the reasons explained below, the Magistrate Judge recommends that the District Judge dismiss this case without prejudice pursuant to Federal Rule of Civil Procedure 41(b) for violating Rule 8(a).

I. BACKGROUND

A. Plaintiff's Filing History

Plaintiff has filed multiple recent cases in this District,[1] and he is additionally subject to limited filing restrictions stemming from past litigation conduct.[2] Judges in this District have noted that Plaintiff uses verbiage and espouses theories and arguments akin to those of the sovereign citizen movement. *See, e.g., Sipple Bey v. Meyer*, No. 24-4015-JWB, 2024 WL 3898578, at *2 (D. Kan. Aug. 22, 2024) (addressing a case filed by Plaintiff and his then spouse and noting that "[p]laintiffs' case is their fourth sovereign citizen suit filed in federal court").

The Court provides this background because the same is true in this case. The opening paragraph of Plaintiff's Complaint states that Plaintiff appears "**sui juris, in propria persona,**

[1] *See Sipple Bey v. Exeter Finance*, No. 26-4051-AJP-RES, ECF No. 1 (D. Kan. May 11, 2026); *Sipple Bey v. City of Emporia*, No. 26-4022-JWB-RES, ECF No. 1 (D. Kan. Feb. 13, 2026); *Sipple Bey v. Envista Credit Union*, No. 26-4023-EFM-RES, ECF No. 1 (D. Kan. Feb. 13, 2026); *Sipple Bey v. Flint Hills Crysler Dodge Jeep Ram*, No. 26-4024-HLT-RES, ECF No. 1 (D. Kan. Feb. 13, 2026).

[2] *See Sipple v. Meyer*, No. 23-4108-EFM-RES, ECF No. 55 (D. Kan. Apr. 2, 2024) (imposing filing restrictions regarding future cases relating to a state court foreclosure lawsuit and parties involved with that lawsuit, including those in privity with the parties).

appearing by Special Appearance only, in exclusive equity, without waiver of rights, and without consent to defective jurisdiction." ECF No. 1 at 1 (bolding original).[3] The Complaint refers to Plaintiff as the "Relator" throughout. *See generally id*. And part of the factual basis for Plaintiff's claims includes the allegation that Defendants failed to recognize the fact that Plaintiff allegedly "rescinded" his own state-issued driver's license. *See generally id.* He has additionally attached as an exhibit to the Compliant a letter from the "Council of the Sipps Tribe" informing the Kansas Department of Motor Vehicles ("KDOR") that Plaintiff is "requesting the removal of any contracts, (Drivers license, Identification cards, Vehicle Registrations, any unknown contracts, and power of attorney forms.), that your company or organization may have on your records," among other things. *Id.* at 38.

B. The Operative Complaint

Because Plaintiff is subject to filing restrictions, the Court reviewed Plaintiff's Complaint prior to docketing it and opening this case. As noted in the order allowing Plaintiff to file this case, "the Court harbors serious concerns about the viability of this action" but ultimately found that the case could be filed because it did not appear to involve the subject matter of the filing restrictions. *In re Gary Sipple Bey*, 26-mc-104-EFM, ECF No. 1 at 2 (D. Kan. May 20, 2026). The Clerk's Office subsequently docketed the case and assigned it to the presiding District Judge and undersigned Magistrate Judge.

The Complaint describes this case as "a federal civil rights, Civil RICO, and equitable action arising from a defective traffic prosecution, wrong-party adjudication, ignored license

[3] Plaintiff signed the Complaint using a similar signature block and additionally noting that it is signed "Without Recourse[,] All Rights Reserved[,] U.C.C. 1-308." ECF No. 1 at 18.

recission, ignored proof of registration, jail injury, license impairment, coercive financial enforcement, and deprivation of rights under color of law." ECF No. 1 at 1. Plaintiff's Compliant is largely single spaced and spans 18 pages with more than 244 enumerated paragraphs with an additional 17 enumerated paragraphs covering just some of Plaintiff's various requests for relief. *See generally id.* The Complaint contains confusing allegations such as "Relator alleges that the [license] suspension operated as a false administrative impairment, coercive enforcement mechanism, and financial-control device." *Id.* at 5. The Complaint also contains a section titled "Equity Maxims," which contains statements such as "Equity acts in personam." *Id.* at 16-17. Interspersed in the Complaint are citations to cases purporting to support Plaintiff's claims, *see id.* at 6-7, and Plaintiff asserts legal arguments throughout the Complaint in reliance on these cases. *See generally* ECF No. 1.

Plaintiff has attached an additional 25 pages of exhibits to the Complaint, which include the following:

- An "Affidavit of Truth in Support of Verified Compliant for Civil Rights Violations, Civil RICO, and Equitable Relief." *Id.* at 19-26. The document contains 85 enumerated paragraphs that include factual allegations, conclusions, and legal arguments.
- A list of Defendants to whom Plaintiff requests the Court issue summonses. *Id.* at 27-28.
- What appears to be a docket sheet from Plaintiff's state court traffic case. *See id.* at 29-37.
- The letter from the purported "Council of the Sipps tribe" to the KDOR. *Id.* at 38-40.

- A letter from the KDOR, Division of Vehicles, to Plaintiff concerning the status of his driving privileges. *Id.* at 41.
- One of the orders issued in Plaintiff's state court traffic case. *Id.* at 42-43.

In total, both the Complaint and exhibits span 43 pages.

The Complaint names seven Defendants in both their individual and official capacities:[4] Shawnee County Magistrate Judge Dennis Jones, who presided over Plaintiff's state court case; Kansas Highway Patrol Officer Kyle Hoefft; Secretary of the Kansas Department of Revenue Mark A. Burghart; Megan Weddle, the prosecutor in Plaintiff's state court case; Jason McIlrath, identified as "appearing for the prosecutor"; and Olivia Higdon and Cody Smith, both identified as prosecutors who appeared at Plaintiff's March 25, 2025 bench trial. ECF No. 1 at 4, 27-28.

The claims in this case appear to arise from Plaintiff's traffic stop and subsequent state court prosecution, conviction, and sentence. ECF No. 1 at 1 ("This action arises from Shawnee County traffic case **State of Kansas v. Gary Jerome Sipple**, Case No. **SN-2024-TR-004651**." (bolding original)). At a minimum, the Complaint asserts at least ten civil rights claims arising under 42 U.S.C. § 1983 (Counts 1-10) and a claim under the Racketeer Influenced and Corrupt Organizations Act ("RICO") (Count 11). *See generally id.* Plaintiff seeks declaratory and injunctive relief (appearing as Count 12), and, among other things, the Complaint requests that this Court order the correction or expungement of Plaintiff's state court records, declare errors with Judge Jones' rulings, and "[c]ancel all fines, costs, reinstatement fees, DMV/KDOR holds, purported license impairments, collection activity, and enforcement consequences arising from

[4] ECF No. 1 at 3 ("All named Defendants are sued in their **individual capacities** for damages and in their **official capacities** for declaratory and prospective injunctive relief." (bolding original)).

Case No. **SN-2024-TR-004651."** *Id.* at 16-17 (bolding original). Plaintiff additionally seeks significant monetary damages, including two million dollars for "actual injuries including jail, loss of liberty, DMV/KDOR impairment, rescinded-license injury, reinstatement pressure, fines, costs, emotional distress, reputational harm, time lost, travel restriction, administrative burden, financial impairment, and continuing record injury" and six million dollars pursuant to his RICO claim. *Id.* at 16.

C. Plaintiff's Opportunity to Amend

On June 1, 2026, the Court entered an IFP Screening Case Management Order notifying Plaintiff that on preliminary review, the Court believed that most, if not all, of Plaintiff's claims were subject to dismissal for one or more of a non-exhaustive list of reasons including abstention and immunity doctrines (including Eleventh Amendment immunity, prosecutorial immunity and/or judicial immunity). ECF No. 5 at 5. The Court also discussed various pleading defects including:

> - The Complaint pleads allegations against numerous "Defendants" collectively without making clear what *each* Defendant did to Plaintiff, when the Defendant did it, and how each Defendant's actions harmed Plaintiff. This is likely insufficient to state a plausible claim against any Defendant or to provide any Defendant with fair notice of the grounds on which each claim rests.
>
> - Plaintiff's Complaint contains more than 200 enumerated paragraphs, and each of Plaintiff's claims incorporates all prior paragraphs by reference, making it nearly impossible for the Court to determine what facts apply to what claim. Courts have found that this type of pleading practice can violate Federal Rule of Civil Procedure 8(a)(2), and a Rule 8 violation is a sufficient reason to dismiss a case.
>
> - In many instances, the Complaint has not included sufficient well-pleaded factual allegations that, if accepted as true, allow the Court to draw reasonable inferences that each Defendant is

liable for each cause of action asserted against each Defendant.

Id. at 3-4. The Order also notified Plaintiff of his obligations in filing any pleading in federal court. Specifically,

> The Court strongly encourages Plaintiff to thoroughly research the issues identified above and to file an amended complaint that contains only legally recognized claims and names only those Defendants against whom or which a claim may be asserted. The Court would expect that both the claims and named Defendants in this case would be significantly narrowed in an amended complaint as result of this research. The Court strongly cautions Plaintiff on this point. Plaintiff's claims must be warranted by existing law or a nonfrivolous argument for changing the law. *See* Fed. R. Civ. P. 11(b)(2). Plaintiff is already subject to filing restrictions in this District, and abusive or vexatious litigation conduct can result in broader filing restrictions or other sanctions.

Id. at 4-5. That Order put Plaintiff on notice of his right to amend once as a matter of course. *Id.* at 4. The Court further stated that if Plaintiff believed he could not correct the issues identified in the Order, he should take appropriate action to dismiss this case. *Id.* at 5.

Plaintiff declined to file an amended complaint by the deadline, and he also declined to dismiss this case. Nevertheless, the Court sua sponte extended the June 22, 2026 deadline up to and including July 17, 2026, given that Plaintiff had potentially experienced issues receiving filings sent via U.S. Mail in some of his other cases. ECF No. 6 at 2. That order again strongly encouraged Plaintiff to file an amended complaint as a matter of course and expressly notified Plaintiff that "it is likely that the Magistrate Judge will recommend dismissal of this case without providing Plaintiff another opportunity to amend." *Id.* at 2.

Again, Plaintiff has failed to file an amended complaint by the July 17, 2026 deadline or at any point since then, and he has also declined to dismiss this case. In sum, Plaintiff has had ample opportunity to attempt to address the numerous issues raised in the Court's IFP Screening Case Management Order but has wholly declined to do so. Notably, Plaintiff has filed documents in his

other pending cases in this District during the period in which he has declined to file an amended complaint in this case. *See, e.g., Sipple Bey v. City of Emporia*, 26-4022-JWB-RES, ECF Nos. 44, 45, 47. 50, 52, 56 (D. Kan. 2026).

II. LEGAL STANDARD

Because Plaintiff proceeds pro se, the Court liberally construes the Complaint and holds it to a less stringent standard than a complaint drafted by an attorney. *See Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991). But in doing so, the Court does not "assume the role of advocate for the pro se litigant." *Id.* Rather, Plaintiff still bears "the burden of alleging sufficient facts on which a recognized legal claim could be based." *Id.* Additionally, pro se litigants are subject to the same rules of procedure that govern other litigants. *See DiCesare v. Stuart*, 12 F.3d 973, 979 (10th Cir. 1993).

One of those rules is Rule 8(a), which requires that a complaint "must contain (1) a short and plain statement of the grounds for the court's jurisdiction, . . . (2) a short and plain statement of the claim showing that the pleader is entitled to relief; and (3) a demand for the relief sought." Fed. R. Civ. P. 8(a). With respect to Rule 8(a)(2)'s requirements, a complaint must "provide allegations which are clear enough so that the opposing party and the court can discern a factual and legal basis for [the] claims." *David v. United States*, 849 F. App'x 726, 728 (10th Cir. 2021). "While the pleading standard Rule 8 announces does not require detailed factual allegations, the complaint must contain enough allegations of fact, taken as true, to state a claim to relief that is plausible on its face." *Alpenglow Botanicals, LLC v. United States*, 894 F.3d 1187, 1195 (10th Cir. 2018) (quoting *Ashcroft v. Iqbal,* 556 U.S. 662, 678 (2009) (internal quotations omitted)).

"Rule 8 serves the important purpose of requiring plaintiffs to state their claims intelligibly so as to inform the defendants of the legal claims being asserted." *Mann v. Boatright*, 477 F.3d

1140, 1148 (10th Cir. 2007); *see also Washington v. Colorado State Univ.*, 405 F. App'x 288, 290 (10th Cir. 2010) ("[R]ambling narrations of fact coupled with conclusory legal assertions do not assist the court or the defendants."). "[T]he degree of specificity necessary to establish plausibility and fair notice, and therefore the need to include sufficient factual allegations, depends on context: Context matters in notice pleading. Fair notice under Rule 8(a)(2) depends on the type of case . . . ." *Robbins v. Oklahoma*, 519 F.3d 1242, 1248 (10th Cir. 2008) (quotation omitted). But regardless, a pleading should not be so lengthy or complex that it places an undue burden on a responding party. *See Huffman v. Kansas*, No. 2:25-CV-02088-HLT-TJJ, 2026 WL 878451, at *8 (D. Kan. Mar. 31, 2026).

A failure to comply with Rule 8 can be a basis to dismiss a complaint without prejudice pursuant to Federal Rule of Civil Procedure 41(b). *See Nasious v. Two Unknown B.I.C.E. Agents, at Arapahoe Cnty. Just. Ctr.*, 492 F.3d 1158, 1161 (10th Cir. 2007) ("And, to be sure, a failure to satisfy Rule 8 can supply a basis for dismissal: Rule 41(b) specifically authorizes a district court to dismiss an action for failing to comply with any aspect of the Federal Rules of Civil Procedure."). "When dismissing a case without prejudice, 'a district court may, without abusing its discretion, enter such an order without attention to any particular procedures.'" *Foster v. Henderson*, No. 25-4047-DDC-RES, 2025 WL 3294719, at *1 (D. Kan. Nov. 26, 2025) (dismissing a case for multiple reasons, including a Rule 8 violation, and quoting *AdvantEdge Bus. Grp. v. Thomas E. Mestmaker & Assocs., Inc.*, 552 F.3d 1233, 1236 (10th Cir. 2009)). The Tenth Circuit "has repeatedly held that a dismissal without prejudice under Rule 41(b) is almost never an abuse of discretion." *Bolongia v. Target Corp*., No. 25-6205, 2026 WL 1894537, at *2 (10th Cir. July 1, 2026).

III. DISCUSSION

While all litigants are expected to comply with the Federal Rules of Civil Procedure, Plaintiff was specifically put on notice of Rule 8(a)(2)'s requirement in the Court's IFP Screening Case Management Order, ECF No. 5. The Court gave Plaintiff the opportunity to address these concerns and then sua sponte further extended that deadline. Plaintiff, however, has declined to file an amended complaint addressing any of the serious defects raised in the Court's Order. The Court could recommend dismissal on a variety of grounds, as discussed briefly in closing. In this case, however, the Court recommends dismissal for a violation of Rule 8(a)(2) for the reasons explained below.

First, because Plaintiff's Complaint largely relies on group pleading, meaning alleging that Defendants *collectively* committed certain acts, Plaintiff's Complaint fails to give fair notice to each Defendant as to what each individual Defendant did. The bulk of Plaintiff's claims are § 1983 claims. To meet notice pleading requirements with respect to at least these claims, a complaint must "explain what each defendant did to him or her; when the defendant did it; how the defendant's action harmed him or her; and, what specific legal right the plaintiff believes the defendant violated." *Nasious*, 492 F.3d at 1163. Plaintiff's other claim is a RICO claim, which also generally requires more detailed pleading.

But when a complaint fails to distinguish between individual actions by multiple distinct defendants it does not comply with Rule 8 and is subject to dismissal. *See Doe v. Sequoia Cap. Operations LLC*, No. 25-CV-02922-JLK-RTG, 2026 WL 1122523, at *3 (D. Colo. Mar. 31, 2026) (addressing group pleading). This is the case here. And again, Plaintiff was on notice of this defect via the Court's prior Order noting that "[t]he Complaint pleads allegations against numerous

"Defendants" collectively without making clear what *each* Defendant did to Plaintiff, when the Defendant did it, and how each Defendant's actions harmed Plaintiff." ECF No. 5 at 3.

As but one of numerous examples, Plaintiff asserts a purported 42 U.S.C. § 1983 Fourteenth Amendment due process claim (Count 1) based on allegations such as: "Defendants converted a defective identity trail into judgment, jail, suspension, fines, fees, reinstatement penalties, DMV/KDOR consequences, and continuing administrative impairment." ECF No. 1 at 8. Defendants are individuals who would have played very different roles in the events giving rise to this case—a Kansas Highway Patrol Officer, various prosecutors, a judge, and the KDOR Secretary. It is wholly unclear how the KDOR Secretary—particularly in his individual capacity—had anything to do with Plaintiff's state court traffic case. Along the same lines, although Plaintiff alleges the officer issued a citation, it is unclear why Plaintiff believes the officer would be responsible for events occurring in the state court proceeding, including the judgment and sentencing. As to the multiple prosecutors and the judge, these allegations do not differentiate between any actions taken by any of them.

Second, Plaintiff's Complaint does not make clear what facts apply to what claims. The Complaint contains more than 240 enumerated paragraphs, and each of Plaintiff's claims (which number in the double digits) incorporates all prior paragraphs by reference, making it nearly impossible for the Court to clearly determine what facts apply to what claim. As explained in the Court's prior Order, "courts have found that this type of pleading practice can violate Federal Rule of Civil Procedure 8(a)(2), and a Rule 8 violation is a sufficient reason to dismiss a case." ECF No. 5 at 4. As one judge in this District has explained:

> Rule 8(a)(2) requires complaints to contain "a short and plain statement of the claim showing that the pleader is entitled to relief." In determining whether a complaint satisfies Rule 8(a)(2), "[t]he law recognizes a significant difference between notice pleading and

> 'shotgun' pleading." By way of definition, a shotgun pleading "is a type of pleading that contains several counts or causes of action, each of which incorporates by reference the entirety of its predecessors." Practically speaking, "[t]he shotgun pleader foists off one of the pleading lawyer's critical tasks—sifting a mountain of facts down to a handful of those that are relevant to a given claim—onto the reader." The Tenth Circuit has made clear that "shotgun pleadings" are impermissible.

Cantley v. Jacobson Holdings, Inc., No. 2:24-CV-02071-EFM-BGS, 2024 WL 2321083, at *2 (D. Kan. May 22, 2024 (footnotes omitted)). Plaintiff was on notice of this defect, yet he failed to take any action to correct it by filing an amended complaint.

Third, in many instances and despite the overall length of the Complaint, the Complaint relies on conclusory assertions with few, if any, supporting facts. And again, the Court's prior Order put Plaintiff on notice of this issue, noting that the Complaint "has not included sufficient well-pleaded factual allegations that, if accepted as true, allow the Court to draw reasonable inferences that each Defendant is liable for each cause of action asserted against each Defendant." ECF No. 5 at 4. One of the most glaring examples is Plaintiff's purported RICO claim (Count 11) in which the Complaint alleges "Defendants formed, used, participated in, or operated through an enterprise or association-in-fact consisting of state court actors, law-enforcement actors, prosecutorial actors, DMV/KDOR actors, and financial-enforcement actors." ECF No. 1 at 14. According to the Complaint, "[t]he enterprise functioned through citation, prosecution, judicial adjudication, DMV/KDOR cross-reference, license impairment, reinstatement pressure, fines, fees, jail exposure, and financial enforcement." *Id.* The Complaint contains no well-pleaded facts suggesting that Defendants were an enterprise, an essential element of a RICO claim (among many other problems with this claim). *See Garrett v. Selby Connor Maddux & Janer*, 425 F.3d 836, 838 (10th Cir. 2005) (setting out the elements). These are the type of unadorned "the defendant unlawfully harmed me" allegations that fail to comply with federal pleading standards. *Linlor v.*

Holman, No. 24-1001-DDC-GEB, 2024 WL 3771790, at *5 (D. Kan. Aug. 13, 2024) (quoting *Iqbal*, 556 U.S. at 678 and explaining that "Rule 8 'demands more than an unadorned, the-defendant-unlawfully-harmed-me accusation'" and that "rhetoric is no substitute for pleading essential facts").

Fourth, multiple attempted § 1983 claims fail to provide sufficient notice of the federally secured right Plaintiff contends was violated. For example, the Complaint describes Count 2 as a "Wrong-Party Adjudication and Defective Identity Process." *Id.* at 8. Count 3 is similarly identified as "Filed License Recission Ignored and Fraudulent License Impairment," and references a due process violation by Defendants as a result of "using a rescinded license." *Id.* at 9. These claims fail to clearly identify any federal right Plaintiff believes was violated and instead appear to advance, at least in part, a sovereign citizen theory that is not actionable, a separate issue addressed briefly at the end of this order.

Additionally, many of the § 1983 claims cite to federal criminal statutes and/or a state code of judicial conduct, which do not establish a federally secured right owed to Plaintiff and which do not give rise to a private right of action Plaintiff can pursue in this Court.[5] *See Helmers v. Journey*, No. 25-1053-JWB-BGS, 2025 WL 1616458, at *5 (D. Kan. May 2, 2025) ("In other words, criminal statutes do not provide a private right of action and are unenforceable through a civil action." (citing *Andrews v. Heaton*, 483 F.3d 1070, 1076-77 (10th Cir. 2007)), *R. & R. adopted*, No. 25-1053-JWB, 2025 WL 1430451 (D. Kan. May 19, 2025); *see also Lear v. Road Home*, No. 2:24-CV-00058-DBB, 2026 WL 1823121, at *2 (D. Utah June 24, 2026) ("A federal

[5] The Court does not read the referenced criminal statutes or the citation to Kansas Supreme Court Rule 601B, Cannon 3, Rule 3.10 as attempted claims. The Complaint makes clear that Plaintiff "does not seek to privately prosecute criminal statutes" but instead "pleads those statutes as notice, predicate misconduct where applicable, evidence of willfulness, evidence of conspiracy, and grounds for referral to federal authorities." ECF No. 1 at 2.

civil-rights action is not an appropriate vehicle for a plaintiff to hold other individuals or entities liable under criminal codes.").

Fifth, it is unclear against which Defendants certain claims are asserted. As but a few examples, Counts 3, 5, and 9 are asserted against certain named Defendants and additional "Participating Defendants" who are not identified. ECF No. 1 at 9, 10, 12. Some claims refer to "the State" without specifying which, if any, Defendant was involved. *See, e.g., id.* at 9 ("The State cited **Bey Gary Sipple,** adjudicated **Gary Jerome Sipple,** accepted appeal filings by **Gary Sipple Bey,** and financially assessed **Sipple Bey, Gary.**" (bolding original)); *see also id.* ("The State cannot lawfully suspend a license status Relator had already rescinded and disclaimed without first adjudicating the legal effect of that rescission.").

Sixth, the contours of many of Plaintiff's claims are unclear. For example, the Complaint sets out enumerated claims arising under federal law, but it also inexplicably contains a statement that the Court "has supplemental jurisdiction under **28 U.S.C. § 1367** over related equity, administrative, and state-law claims arising from the same nucleus of operative facts, including the defective traffic case, name misidentification, filed rescission, filed proof of registration, DMV/KDOR impairment, financial enforcement, and jail injury." ECF No. 1 at 3 (bolding original). Such allegations wholly fail to put the Court or Defendants on notice as to what claims Plaintiff is referencing or asserting. The Complaint also describes Count 5, a § 1983 claim, as a "Fourth Amendment Unlawful Seizure and Jail Inquiry," but the paragraphs following the subheading reference both the Fourth Amendment and the Fourteenth Amendment.

Finally, at its core, this lawsuit appears to seek to relitigate Plaintiff's state court traffic case. Among other things, the Complaint requests that this Court order the correction or expungement of Plaintiff's state court records, declare errors with Judge Jones' rulings, and

"[c]ancel all fines, costs, reinstatement fees, DMV/KDOR holds, purported license impairments, collection activity, and enforcement consequences arising from Case No. **SN-2024-TR-004651."** ECF No. 1 at 16-17 (bolding original). Plaintiff's Complaint notes that he appealed that case. *Id.* at 5 ("On April 4, 2025, a Notice of Appeal was filed by **Gary Sipple Bey**." (bolding original)). Depending on the current procedural posture of the underlying case, it is likely that either the *Younger* abstention doctrine or the *Rooker-Feldman* abstention doctrine precludes the Court from exercising jurisdiction. *See generally Zesiger v. Zesiger*, No. 25-4055-DDC-RES, 2025 WL 1837375, at *2 (D. Kan. July 3, 2025) (explaining both doctrines and why the court likely lacked jurisdiction over a federal case seeking relief pertaining to a state court case).

Again, Plaintiff could have amended his Complaint to address these issues, which were explained in the Court's IFP Screening Case Management Order, but Plaintiff declined to do so and also declined to address any of the other problems noted in that Order.[6] Although Plaintiff proceeds pro se, it is not the Court's job to construct legal and factual arguments on Plaintiff's behalf or fix problems inherent in Plaintiff's Complaint, particularly when he was provided multiple opportunities to fix these issues.

IV. CONCLUSION

For the reasons explained above, the Magistrate Judge recommends that the District Judge dismiss this case without prejudice pursuant to Rule 41(b) for a violation of Rule 8(a)(2). *See*

[6] As noted in the Court's IFP Screening Case Management Order, Eleventh Amendment immunity, prosecutorial immunity, and judicial immunity bar certain claims and/or requests for relief as to certain Defendants. *See* ECF No. 5 at 3. Because of the lack of clarity regarding the numerous claims asserted against numerous Defendants, the Court declines to address these types of issues on their merits. *See Tucker v. United States Ct. of Appeals for Tenth Cir.*, 815 F. App'x 292, 294 n.2 (10th Cir. 2020) (recognizing the difficulty assessing immunity doctrines where a pleading does not make clear each defendant's own acts or omissions).

Nasious, 492 F.3d at 1161. ("And, to be sure, a failure to satisfy Rule 8 can supply a basis for dismissal: Rule 41(b) specifically authorizes a district court to dismiss an action for failing to comply with any aspect of the Federal Rules of Civil Procedure."). The Magistrate Judge further finds that it would be futile to provide Plaintiff with another opportunity to amend given that the Court previously put Plaintiff on notice of the deficiencies in the Complaint, provided guidance with respect to filing an amended pleading, provided Plaintiff with an opportunity to file an amended pleading, and even sua sponte extended the deadline for him to so do. Plaintiff declined to do so. Because this lawsuit is subject to dismissal on multiple grounds, additional amendments are unlikely to cure these problems.[7]

* * * *

Pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b)(2), and D. Kan. Rule 72.1.4(b), Plaintiff may file written objections to this report and recommendation within fourteen days after being served with a copy. If Plaintiff fails to file objections within the fourteen-day time period, no appellate review of the factual and legal determinations in this report and recommendation will be allowed by any court. *See In re Key Energy Res. Inc.*, 230 F.3d 1197, 1199-1200 (10th Cir. 2000).

[7] Plaintiff's claims—at least in part if not entirely—are based on Plaintiff's assertion of sovereign citizen theories, including that he cannot be held responsible for traffic violations because he unilaterally rescinded his driver's license. These types of arguments are subject to dismissal as frivolous. *See Fryer v. Johnson Cnty. Sheriff Dep't*, No. 2:22-CV-02079-HLT, 2022 WL 3211427, at *2 (D. Kan. Aug. 8, 2022) ("Courts show no hesitation in rejecting as frivolous arguments based on the theory of sovereign citizenship."); *see also Charlotte v. Hansen*, 433 F. App'x. 660, 661 (10th Cir. 2011), cert. denied 132 S. Ct. 1147 (2012)) (stating "an individual's belief that her status as a 'sovereign citizen' puts her beyond the jurisdiction of the courts 'has no conceivable validity in American law.'"); *Browne v. Scott*, No. 19-2167-DDC-TJJ, 2019 WL 5084621, at *3 (D. Kan. Oct. 10, 2019) (same).

Dated: September 1, 2026, at Topeka, Kansas.

/s/ Rachel E. Schwartz
Rachel E. Schwartz
United States Magistrate Judge