

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JAMES M. ATKINSON,)	
)	
Plaintiff,)	
v.)	CIVIL ACTION
)	NO. 11-11073-NMG
TOWN OF ROCKPORT, et al.,)	
)	
Defendants.)	

**REPORT AND RECOMMENDATION ON
MOTION OF JOHN GOOD TO DISMISS**

November 7, 2011

DEIN, U.S.M.J.

I. INTRODUCTION

The plaintiff, James M. Atkinson (“Atkinson”), has filed a 474-page *pro se* complaint naming well over 100 defendants, including John Good (“Good”), who is being sued in his official capacity and individually in connection with his affiliation with various institutional defendants. This matter is presently before the court on his Motion to Dismiss (Docket No. 44), pursuant to which Good is seeking to have the Third Amended Complaint (“Compl.”)¹ dismissed as against him for failure to comply with the pleading requirements of Fed. R. Civ. P. 8.² “While a court may dismiss a pleading that

¹ On July 19, 2011, the court ordered that the Third Amended Complaint (Docket No. 6) is the operative pleading in this case.

² While the motion also cites Fed. R. Civ. P. 12(b)(4) as grounds for dismissal, this is not argued and therefore is deemed waived.

*After consideration of plaintiff's objection thereto,
Report and Recommendation accepted and adopted*

NMGorton, USDJ 3/14/12