

Custom Digest - 25 Headnotes

C [Cited 394 times for this legal issue]

[Tannenbaum v. U.S.](#), 148 F.3d 1262

170A FEDERAL CIVIL PROCEDURE

170AVII Pleadings and Motions

170AVII(A) Pleadings in General

170A?654 Construction

170A?657?5 Pro Se or Lay Pleadings

170Ak657.5(1) k. In general.

C.A.11.Fla.,1998

Pro se pleadings are held to a less stringent standard than pleadings drafted by attorneys and will, therefore, be liberally construed.

P [Cited 313 times for this legal issue]

[GJR Investments, Inc. v. County of Escambia, Fla.](#), 132 F.3d 1359

C.A.11.Fla.,1998

In ruling on motion to dismiss for failure to state claim, courts do and should show leniency to pro se litigants not enjoyed by those with benefit of legal education; yet even in case of pro se litigants this leniency does not give court license to serve as de facto counsel for party, or to rewrite otherwise deficient pleading in order to sustain action. [Fed.Rules Civ.Proc.Rule 12\(b\)\(6\)](#), 28 U.S.C.A .

P [Cited 56 times for this legal issue]

[Wayne v. Jarvis](#), 197 F.3d 1098

C.A.11.Ga.,1999

Liberal construction to be afforded to pro se complaint does not mean liberal deadlines.

P [Cited 56 times for this legal issue]

[Powell v. Lennon](#), 914 F.2d 1459

C.A.11.Fla.,1990

In case of pro se action, court should construe complaint more liberally than it would formal pleadings drafted by lawyers in resolving motion to dismiss complaint.

H [Cited 49 times for this legal issue]

[Trawinski v. United Technologies](#), 313 F.3d 1295

C.A.11.Ala.,2002

Pro se pleadings are held to less stringent standard than pleadings drafted by attorneys, and will therefore be liberally construed.

P [Cited 18 times for this legal issue]

[S.E.C. v. Elliott](#), 953 F.2d 1560

C.A.11.Fla.,1992

When interpreting pro se papers, court should use common sense to determine what relief party desires.

▶ [Cited 17 times for this legal issue]

[S.E.C. v. Elliott, 953 F.2d 1560](#)

C.A.11.Fla.,1992

Pro se parties are provided wide latitude when their pleadings and papers are construed.

■ [Cited 16 times for this legal issue]

[Alba v. Montford, 517 F.3d 1249](#)

C.A.11.Ga.,2008

Pro se pleadings are held to less strict standard than pleadings filed by lawyers and thus are construed liberally.

▶ [Cited 15 times for this legal issue]

[Miller v. Donald, 541 F.3d 1091](#)

C.A.11.Fla.,2008

Pursuant to the less stringent standard applied to a pro se litigant's pleadings, wildly implausible allegations in the litigant's complaint should not be taken to be true, but the court ought not penalize the litigant for linguistic imprecision in the more plausible allegations.

▶ [Cited 14 times for this legal issue]

[Albra v. Advan, Inc., 490 F.3d 826](#)

C.A.11.Fla.,2007

The Court of Appeals is to give liberal construction to the pleadings of pro se litigants.

▶ [Cited 14 times for this legal issue]

[Covington v. Cole, 528 F.2d 1365](#)

C.A.5.Tex.,1976

Pro se complaints are to be read very liberally.

● [Cited 9 times for this legal issue]

[Olivares v. Martin, 555 F.2d 1192](#)

C.A.5.Tex.,1977

Licensed attorney could not be given advantage of liberal construction of complaint normally given pro se litigants.

● [Cited 7 times for this legal issue]

[U. S. ex rel. Simmons v. Zibilich, 542 F.2d 259](#)

C.A.5.La.,1976

Court will use common sense in interpreting frequently diffuse pleadings of pro se complaints.

● [Cited 6 times for this legal issue]

[Harris v. Ostrout, 65 F.3d 912](#)

C.A.11.Fla.,1995


In ruling on summary judgment motion, court construes pro se complaint more liberally than it would complaint of represented party.

▶ [Cited 5 times for this legal issue]

[Miller v. Donald, 541 F.3d 1091](#)

C.A.11.Fla.,2008


Pro se pleadings are held to a less stringent standard than pleadings drafted by attorneys and will, therefore, be liberally construed.

 [Cited 4 times for this legal issue]

[Byrd v. Stewart, 811 F.2d 554](#)

C.A.11.Ga.,1987


Pro se pleadings are to be held to a less stringent standard than pleadings drafted by attorneys.

 [Cited 3 times for this legal issue]

[U.S. v. Roberts, 308 F.3d 1147](#)

C.A.11.Fla.,2002


Pro se complainants are held to less pleading standards less stringent than those applicable to lawyers.

 [Cited 3 times for this legal issue]

[Bolden v. Odum, 695 F.2d 549](#)

C.A.11.Ga.,1983


If a pro se complainant meets jurisdictional requirements, a federal court can extend such leniency as justice requires in construing the pleadings.

 [Cited 3 times for this legal issue]

[Shaw v. Briscoe, 541 F.2d 489](#)

C.A.5.Tex.,1976


The pleadings of a pro se complaint should be held to less stringent standards than formal pleadings drafted by lawyers.

 [Cited 2 times for this legal issue]

[Richardson v. Fleming, 651 F.2d 366](#)

C.A.5.Tex.,1981


Allegations of complaint, especially a pro se complaint, must be read in liberal fashion, and they must be accepted as true in testing their sufficiency.

 [Cited 2 times for this legal issue]

[Slavin v. Curry, 574 F.2d 1256](#)

C.A.5.Tex.,1978


Judge cannot allow personal view that allegations of pro se complaint are implausible to temper his duty to appraise such pleadings liberally.

 [Cited 1 times for this legal issue]

[Campbell v. Beto, 460 F.2d 765](#)

C.A.5.Tex.,1972

Pro se pleadings are to be judged with a liberality unnecessary for those drafted by skilled counsel. [Fed.Rules Civ.Proc. rule 12\(b\), 28 U.S.C.A.](#) .

 [Cited 0 times for this legal issue]

[Potts v. Estelle, 529 F.2d 450](#)


C.A.5.Tex.,1976

Standard against which pro se complaints and petitions is measured should be loose enough to accommodate in-

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artful pleader.

 [Cited 0 times for this legal issue]

[Patterson v. MacDougall, 506 F.2d 1](#)

C.A.5.Ga.,1975

Pro se complaints are to be read with especial liberality.

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