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Swierkiewicz v. Sorema N.A., 534 U.S. 506 Shepard's® Tools About this Document

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[508]

JUSTICE THOMAS delivered the opinion of the Court. [LEdHN\[1A\]](#) [1A] [LEdHN\[2A\]](#) [2A] This case presents the question whether a complaint in an employment discrimination lawsuit must contain specific facts establishing a prima facie case of discrimination under the framework set forth by this Court in *McDonnell Douglas Corp. v. Green*, 411 U.S. 792, 36 L. Ed. 2d 668, 93 S. Ct. 1817 (1973). We hold that HN1 an employment discrimination complaint need not include such facts and instead must contain only "a short and plain statement of the claim showing that the pleader is entitled to relief." [Fed. Rule Civ. Proc. 8\(a\)\(2\)](#).

[509]

Following his demotion, petitioner contends that he "was isolated by Mr. Chavel . . . excluded from business decisions and meetings and denied the opportunity to reach his true potential at SOREMA," App.

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Selected Passage JUSTICE THOMAS delivered the opinion of the Court. [LEdHN\[1A\]](#) [1A] [LEdHN\[2A\]](#) [2A] This case presents the question whether a complaint in an employment discrimination lawsuit must contain specific facts establishing a prima facie case of discrimination under the framework set forth by this Court in *McDonnell Douglas Corp. v. Green*, 411 U.S. 792, 36 L. Ed. 2d 668, 93 S. Ct. 1817 (1973). We hold that HN1 an employment discrimination complaint need not include such facts and instead must contain only "a short and plain statement of the claim showing that the pleader is entitled to relief." [Fed. Rule Civ. Proc. 8\(a\)\(2\)](#). [7]

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The following case(s) cited Swierkiewicz v. Sorema N.A., 534 U.S. 506 for this issue				
<input type="checkbox"/>	1. Goldings v. United States , 98 Fed. Cl. 470 ... more...than...a statement of facts that merely creates a suspicion [of] a legally cognizable right of action", on the assumption that all the allegations in the complaint are true (even if doubtful in fact), see, e.g., <i>Swierkiewicz v. Sorema N.A.</i> , 534 U.S. 506, 508 n.1, 122 S. Ct. 992, 152 L. Ed. 2d 1 (2002) ("Rule 12(b)(6) does not countenance...dismissals based on a judge's disbelief of a complaint's factual allegations"); <i>Scheuer v. Rhodes</i> , 416 U.S. 232, 236, 94 S. Ct. 1683, 40 L. Ed. 2d ...	U.S. Federal	Court of Federal Claims	May 06, 2011
<input type="checkbox"/>	2. Skinner v. Switzer , 131 S. Ct. 1289 ... prevail" on his procedural due process claim, see <i>Scheuer v. Rhodes</i> , 416 U.S. 232, 236, 94 S. Ct. 1683, 40 L. Ed. 2d 90 (1974), but whether his complaint was sufficient to cross the federal court's threshold, see <i>Swierkiewicz v. Sorema N.A.</i> , 534 U.S. 506, 514, 122 S. Ct. 992, 152 L. Ed. 2d 1 (2002). Skinner's complaint is not a model of the careful drafter's art, but Under the Federal Rules of Civil Procedure, a complaint need not pin a plaintiff's claim for relief to a precise legal ...	U.S. Federal	Court of Federal Claims	March 07, 2011
<input type="checkbox"/>	3. Sys. Fuels, Inc. v. United States , 65 Fed. Cl. 163 ... a claim upon which relief may be granted "is necessarily a limited one. The issue is not whether a	U.S. Federal	Court of Federal Claims	April 20, 2005

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