

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA

Alexander v. Hill-Kearse

No. 1:26CV00022 (W.D. Va. Feb. 7, 2026) · No. 1:26CV00022 · Decided February 9, 2026

SUMMARY

The United States District Court for the Western District of Virginia dismissed Joseph Alexander’s pro se complaint as fictitious, factually deficient, and insufficient to establish subject-matter jurisdiction or state a claim for relief. The court also denied the application to proceed in forma pauperis, finding it deficient, and directed that the opinion and judgment be mailed to Feifei Gu and the named plaintiff’s listed address.

CASE DETAILS

COURT	United States District Court for the Western District of Virginia
WRITING FOR THE COURT	James P. Jones
JURISDICTION	United States District Court for the Western District of Virginia
DECIDED	February 9, 2026
DOCKET	1:26CV00022
DISPOSITION	dismissed
PROCEDURAL POSTURE	A pro se plaintiff filed a civil complaint and an application to proceed in forma pauperis. The district court denied the IFP application and dismissed the case sua sponte because the complaint appeared fictitious, failed to state a claim, and did not establish subject-matter jurisdiction.
STANDARD OF REVIEW	The court evaluated the pro se complaint for whether it stated a claim for relief and whether subject-matter jurisdiction was established; the opinion does not identify a separately articulated standard of review.
PRECEDENTIAL VALUE	Unpublished district court opinion; persuasive value only

TOPICS

- subject matter jurisdiction
- pleadings
- motions to dismiss
- civil procedure
- section 1983

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the complaint stated a claim for relief when it contained no factual allegations and consisted only of conclusions and naked assertions.
2. Whether the complaint established a basis for the district court's subject-matter jurisdiction.
3. Whether the deficient IFP application should be denied.
4. Whether the action should be dismissed because the complaint appeared fictitious and was part of a pattern of nearly identical filings.

HOLDINGS

1. The complaint failed to state any claim for relief because it contained no supporting facts and consisted only of conclusions and naked assertions.
2. The complaint failed to establish a basis for the court's subject-matter jurisdiction.
3. The IFP application was deficient and was denied.
4. The action was dismissed because the complaint appeared to be fictitious, in addition to failing to state a claim and establish subject-matter jurisdiction.

KEY QUOTATIONS

“The pro se Complaint in this case appears to be fictitious and will be dismissed for that reason and because it fails to state any claim for relief.”

“The Complaint is completely devoid of facts — only mere conclusions and “naked assertion[s].””

“For these reasons, the IFP Application will be denied, and the case will be dismissed.”

FACTUAL BACKGROUND

The complaint contained no factual allegations identifying events, locations, or the defendants' connection to the dispute, and asserted only that federal law supplied jurisdiction. The accompanying IFP application stated that the applicant owned no property, owed no debts, earned \$1,000 in gross and take-home wages, and would not disclose the employer's name or address. The court observed that the filing closely resembled multiple other complaints and IFP applications associated with litigation believed to have been filed by Feifei Gu under different names.

PROCEDURAL HISTORY

Joseph Alexander filed the complaint in the United States District Court for the Western District of Virginia, along with an IFP application. The court determined that the complaint was one of several nearly identical filings associated with Feifei Gu, found the pleading legally insufficient and apparently fictitious, denied the IFP application, and dismissed the case. The court stated that a separate judgment would be entered.

DISPOSITION

dismissed

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 557 (2007)
- Gu v. Abadi, No. 25-1464, 2025 WL 2719366, at *1 (W.D. Pa. Sept. 24, 2025)
- Sullivan v. Pacheco, No. s26-145 GBW, 2026 WL 212784 (D.N.M. Jan. 27, 2026)
- Alexander v. Hill-Kearse, No. 26-CV-0040-CVE-JFJ, 2020 WL 208625 (N.D. Okla. Jan. 27, 2026)
- Adams v. Jimenez, No. 1:26CV00018, 2026 WL 184292 (W.D. Va. Jan. 23, 2026)
- Adams v. Jimenez, No. 26-CV-2025, 2026 WL 191930 (S.D. Ill. Jan. 23, 2026)
- Adams v. Jimenez, No. CIV-26-94-R, 2026 WL 174180 (W.D. Okla. Jan. 22, 2026)
- Williams v. Pacheco, No. CV 26-00001, 2026 WL 146986 (D. Guam Jan. 20, 2026)
- Williams v. Jimenez, No. 5:26-cv-00001 (W.D. Va. Jan. 5, 2026)
- Williams v. Jimenez, No. CIV-26-31-SLP, 2026 WL 78147 (W.D. Okla. Jan. 9, 2026)
- Williams v. Jimenez, No. 7:26-CV-002-WLS, 2026 WL 78135 (M.D. Ga. Jan. 9, 2026)
- Williams v. Jimenez, No. CV-26-00008-TUC-SHR, 2026 WL 64153 (D. Ariz. Jan. 8, 2026)
- Gu v. Zeng, No. 23-CV-4168(EK)(LB), 2023 WL 4138519, at *1 (E.D.N.Y. June 22, 2023)
- Gu v. Jimenez, No. 23-1038, 2023 WL 9231563 (2d Cir. Nov. 22, 2023)
- Gu v. Jimenez, No. 25-CV-02326-RBM-AHG, 2026 WL 174213 (S.D. Cal. Jan. 22, 2026)
- Gu v. Yahoo, Inc., No. 25-cv-04769, 2025 WL 2429719 (N.D. Cal. July 21, 2025)
- Gu v. Abadi, No. 1:25-cv-00058-JPJ-PMS (W.D. Va. Sept. 26, 2025)
- Gu v. Abadi, No. 25-2204, 2025 WL 3772079 (4th Cir. Dec. 31, 2025) (unpublished)

OPINION

CLERKS OFFICE US. DIST. C AT ABINGDON, VA IN THE UNITED STATES DISTRICT COURT ms FOR THE WESTERN DISTRICT OF VIRGINIA OUR ☐☐☐ ABINGDON DIVISION BY: s/ FELICIA CLARK DEPUTY CLERK JOSEPH ALEXANDER,)) Plaintiff,) Case No. 1:26CV00022)) OPINION) DAWN HILL-KEARSE and SERGIO) JUDGE JAMES P. JONES JIMENEZ,)) Defendants.) The pro se Complaint in this case appears to be fictitious and will be dismissed for that reason and because it fails to state any claim for relief.

The Complaint is completely devoid of facts — only mere conclusions and “naked assertion[s].” Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009) (quoting Bell Atl. Corp. v. Twombly, 550 U.S. 544, 557 (2007)). Moreover, the plaintiff has shown no basis for the subject-matter jurisdiction of this Court, stating only that “[t]he basis for this court’s jurisdiction is federal law.” Compl.

1, Dkt. No. 1. There is no indication of where any events occurred, or where the defendants are located. The Application to Proceed in Forma Pauperis (IFP Application) is also deficient. Under oath, it answers “No” for any type of property owned, as well as for owing any debts or financial obligations. It claims monthly earnings of \$1,000 for gross pay or wages, and the same amount for take-home pay or wages.

It also responds to a request for the name and address of the applicant’s employer with “would not disclose.” IFP Appl. 1, Dkt. No. 2. While many pro se civil complaints fail to state a claim upon which relief can be granted, this Complaint is special. It is one of several that have recently been filed in this Court as well as in federal district courts around the country, all nearly identical, but with differently named plaintiffs.¹ While various defendants are named, Sergio Jimenez is a usual defendant.

The applications to proceed in forma pauperis are also similar and the plaintiffs’ purported addresses are in various cities around the United States. It is likely that the person actually filing these cases is named Feifei (or Fei Fei) Gu. Gu “is an individual living in Brooklyn, New York and is a frequent filer of federal lawsuits in the United States District Court for the Eastern District of New York, and has been enjoined from filing any civil action in that court without prior authorization.” *Gu v. Abadi*, No. 25-1464, 2025 WL 2719366, at *1 (W.D.

Pa. Sept. 1 The complaints were all found plainly insufficient. See *Sullivan v. Pacheco*, No. s26-145 GBW, 2026 WL 212784 (D.N.M. Jan. 27, 2026); *Alexander v. Hill-Kearse*, No. 26-CV-0040-CVE-JFJ, 2020 WL 208625 (N.D. Okla. Jan. 27, 2026); *Adams v. Jimenez*, No. 1:26CV00018, 2026 WL 184292 (W.D. Va. Jan. 23, 2026); *Adams v. Jimenez*, No. 26- CV-2025, 2026 WL191930 (S.D.

Ill. Jan 23, 2026); *Adams v. Jimenez*, No. CIV-26-94-R, 2026 WL 174180 (W.D. Okla. Jan. 22, 2026); *Williams v. Pacheco*, No. CV 26-00001, 2026 WL 146986 (D. Guam Jan. 20, 2026); *Williams v. Jimenez*, No. 5:26-cv-00001 (W.D. Va. Jan. 5, 2026); *Williams v. Jimenez*, No. CIV-26-31-SLP), 2026 WL 78147 (W.D. Okla. Jan. 9, 2026); *Williams v. Jimenez*, No. 7:26-CV-002-WLS, 2026 WL 78135 (M.D.

Ga. Jan. 9, 2026); *Williams v. Jimenez*, No. CV-26-00008-TUC-SHR, 2026 WL 64153 (D. Ariz. Jan. 8, 2026). 24, 2025) (cleaned up). It appears that these lawsuits arose out of litigation Gu brought against Jimenez and others in state court. See *Gu v. Zeng*, No. 23-CV- 4168(EK)(LB), 2023 WL 4138519, at *1 (E.D.N.Y. June 22, 2023), appeal dismissed sub nom. *Gu v. Jimenez*, No. 23-1038, 2023 WL 9231563 (2d Cir.

Nov. 22, 2023), cert. denied, 144 S. Ct. 1396 (2024). Gu has filed suits under her real name in courts other than the Eastern District of New York, with complaints and IFP applications similar in

appearance to the present ones. See *Gu v. Jimenez*, No. 25- CV-02326-RBM-AHG, 2026 WL 174213 (S.D. Cal. Jan 22, 2026); *Gu v. Yahoo, Inc.*, No. 25-cv-04769, 2025 WL 2429719 (N.D.

Cal. July 21, 2025), R. & R. adopted, 25-cv-04769-PCP (N.D. Cal. Aug. 5, 2025), *Gu v. Abadi*, No. 1:25-cv- 00058-JPJ-PMS (W.D. Va. Sept. 26, 2025), *aff'd*, No. 25-2204, 2025 WL 3772079 (4th Cir. Dec. 31, 2025) (unpublished).

For these reasons, the IFP Application will be denied, and the case will be dismissed. A separate Judgment will be entered. The Clerk shall mail a copy of this Opinion and the Judgment to Feifei Gu, 2526 85th Street, Brooklyn, NY 11214, as well as to the address of the named plaintiff written on the envelope received. DATED: February 7, 2026 /s/ JAMES P.JONES Senior United States District Judge