

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
PENNSYLVANIA

Marlon Turner v. Philadelphia County Domestic Relations, et al.

Turner · No. 2:25-cv-06930 · Decided March 9, 2026

SUMMARY

The United States District Court for the Eastern District of Pennsylvania granted Marlon Turner leave to proceed in forma pauperis but dismissed his 42 U.S.C. § 1983 action concerning child-support enforcement and wage garnishment. The court held that the Philadelphia and Cambria County Domestic Relations divisions are arms of Pennsylvania’s Unified Judicial System, are protected by Eleventh Amendment immunity, and are not persons subject to § 1983 liability. The court also concluded that Turner’s requested declaratory relief was improper and denied leave to amend as futile.

CASE DETAILS

COURT	United States District Court for the Eastern District of Pennsylvania
WRITING FOR THE COURT	R. Barclay Surrick
JURISDICTION	United States District Court for the Eastern District of Pennsylvania
DECIDED	March 9, 2026
DOCKET	2:25-cv-06930
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought a pro se civil-rights action under 42 U.S.C. § 1983 and sought leave to proceed in forma pauperis. The district court granted in forma pauperis status, screened the complaint under 28 U.S.C. § 1915(e)(2), and dismissed the complaint without leave to amend.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2)(B), the court must dismiss an in forma pauperis complaint that is frivolous, fails to state a claim, or seeks damages from an immune defendant. The failure-to-state-a-claim inquiry uses the Rule 12(b)(6) standard: the complaint must contain sufficient factual matter, accepted as true, to state a plausible claim for relief. Pro se allegations are construed liberally, but conclusory allegations are insufficient.
PRECEDENTIAL VALUE	unpublished district-court memorandum; nonprecedential

PARTIES

Marlon Turner v. Philadelphia County Domestic Relations, Cambria County Domestic Relations

TOPICS

section 1983 eleventh amendment immunity procedural due process declaratory judgment civil procedure

PRACTICE AREAS

civil rights constitutional law family law civil procedure remedies

QUESTIONS PRESENTED

1. Whether Turner stated a claim under 42 U.S.C. § 1983 against Philadelphia County Domestic Relations and Cambria County Domestic Relations.
2. Whether the named Pennsylvania domestic-relations entities are arms of the Commonwealth entitled to Eleventh Amendment immunity and therefore not persons subject to § 1983 liability.
3. Whether Turner could obtain declaratory relief concerning alleged past constitutional violations.
4. Whether amendment should be permitted.

HOLDINGS

1. Philadelphia County Domestic Relations and Cambria County Domestic Relations, as divisions of Pennsylvania's unified judicial system and arms of the Commonwealth, are not persons subject to liability under § 1983 and share in the Commonwealth's Eleventh Amendment immunity.
2. Declaratory relief is unavailable where it would merely adjudicate past conduct or proclaim that one party is liable to another, without defining legal rights in anticipation of future conduct.
3. Leave to amend was properly denied because amendment would be futile.

KEY QUOTATIONS

“these divisions of the Pennsylvania courts are arms of the Commonwealth that share in the Commonwealth’s Eleventh Amendment immunity, and, as such, are not considered “persons” subject to liability under § 1983.” (Section III)

“Declaratory judgment is inappropriate solely to adjudicate past conduct” (Conclusion footnote 4)

FACTUAL BACKGROUND

Turner was subject to a child-support order issued by the Philadelphia Court of Common Pleas Family Division. He alleged that, while a hearing to modify or appeal the order was pending, defendants initiated wage garnishment without notice or lawful authority, causing him to lose his job and home and suffer financial and emotional harm. He also alleged that he had not been properly served in 2020 and therefore had previously lost an opportunity to be heard.

PROCEDURAL HISTORY

Turner alleged that Pennsylvania domestic-relations courts violated his due-process rights in connection with child-support proceedings and wage garnishment. The court granted his motion to proceed in forma pauperis and dismissed the action during statutory screening because the named domestic-relations entities were immune arms of the Commonwealth and were not persons subject to § 1983 liability. The court also concluded that amendment would be futile and separately rejected the requested declaratory relief as directed solely at past conduct.

DISPOSITION

dismissed

CASES CITED

- Harris v. Wetzel, 822 F. App'x 128, 130 (3d Cir. 2020) (per curiam)
- Tourscher v. McCullough, 184 F.3d 236, 240 (3d Cir. 1999)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Shorter v. United States, 12 F.4th 366, 374 (3d Cir. 2021)
- Fisher v. Hollingsworth, 115 F.4th 197 (3d Cir. 2024)
- Vogt v. Wetzel, 8 F.4th 182, 185 (3d Cir. 2021)
- West v. Atkins, 487 U.S. 42, 48 (1988)
- Will v. Mich. Dep't of State Police, 491 U.S. 58, 71 (1989)
- Karns v. Shanahan, 879 F.3d 504, 519 (3d Cir. 2018)
- Benn v. First Judicial Dist. of Pa., 426 F.3d 233, 241 (3d Cir. 2005)
- Parker v. Lehigh Cnty. Domestic Relation Ct., 621 F. App'x 125, 128 (3d Cir. 2015) (per curiam)
- Scheib v. Pennsylvania, 612 F. App'x 56, 59 (3d Cir. 2015) (per curiam)
- Cruz v. Phila. Fam. Ct., No. 25-6270, 2025 WL 3290065, at *1 (E.D. Pa. Nov. 25, 2025)
- Corliss v. O'Brien, 200 F. App'x 80, 84 (3d Cir. 2006) (per curiam)
- Andela v. Admin. Office of U.S. Courts, 569 F. App'x 80, 83 (3d Cir. 2014)
- Taggart v. Saltz, No. 20-3574, 2021 WL 1191628, at *2 (3d Cir. Mar. 30, 2021) (per curiam)
- Grayson v. Mayview State Hosp., 293 F.3d 103, 108 (3d Cir. 2002)

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