

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

Dylan Ford v. Rodneyse Bichotte-Hermelyn, Brian Gotlieb, and Joy
Campanelli

Ford · No. 26-CV-253-CVE-SH · Decided May 4, 2026

SUMMARY

The United States District Court for the Northern District of Oklahoma dismissed Dylan Ford's pro se complaint without prejudice for failure to allege a basis for federal subject-matter jurisdiction. The court found no basis for federal-question or diversity jurisdiction and deemed Ford's motion to proceed in forma pauperis moot.

CASE DETAILS

COURT	United States District Court for the Northern District of Oklahoma
JURISDICTION	United States District Court for the Northern District of Oklahoma
DECIDED	May 4, 2026
DOCKET	26-CV-253-CVE-SH
DISPOSITION	dismissed
PROCEDURAL POSTURE	The court reviewed plaintiff's complaint and motion for leave to proceed in forma pauperis at the outset of the case and sua sponte determined that subject-matter jurisdiction was lacking.
STANDARD OF REVIEW	The court independently reviewed whether subject-matter jurisdiction existed and considered the sufficiency of the pro se jurisdictional allegations.
PRECEDENTIAL VALUE	unpublished district court opinion

TOPICS

- subject matter jurisdiction
- pleadings
- civil procedure

PRACTICE AREAS

- civil procedure
- federal jurisdiction
- civil rights

QUESTIONS PRESENTED

1. Whether the complaint alleged a basis for federal-question jurisdiction.
2. Whether the complaint alleged complete diversity of citizenship and an amount in controversy exceeding \$75,000 sufficient for diversity jurisdiction.
3. Whether the complaint had to be dismissed under Federal Rule of Civil Procedure 12(h)(3) when the court determined that subject-matter jurisdiction was lacking.

HOLDINGS

1. The complaint did not allege facts or legal authority establishing a federal claim, so the court could not exercise federal-question jurisdiction.
2. The complaint did not establish diversity jurisdiction because it alleged neither the citizenship of the parties nor an amount in controversy exceeding \$75,000.
3. Because the court lacked subject-matter jurisdiction, it was required to dismiss the case without prejudice under Federal Rule of Civil Procedure 12(h)(3).

KEY QUOTATIONS

“Plaintiff has not alleged any basis for the Court to exercise subject-matter jurisdiction over this case, and this case is dismissed for lack of subject-matter jurisdiction.”

“IT IS THEREFORE ORDERED that plaintiff’s complaint (Dkt. # 1) is dismissed without prejudice for lack of subject-matter jurisdiction.”

FACTUAL BACKGROUND

Plaintiff Dylan Ford alleged that Brian Gotlieb and Joy Campanelli obstructed justice and that Rodneyse Bichotte-Hermelyn participated in the process. The complaint stated that damages would be determined by a jury but provided no additional factual allegations, legal authority, federal claim, party citizenship, or specified amount of damages.

PROCEDURAL HISTORY

Plaintiff filed a pro se complaint alleging that defendants obstructed justice and that one defendant participated in the process, together with a motion for leave to proceed in forma pauperis. The district court dismissed the complaint without prejudice for lack of subject-matter jurisdiction and found the in forma pauperis motion moot.

DISPOSITION

dismissed

CASES CITED

- Merida Delgado v. Gonzalez, 428 F.3d 916, 919 (10th Cir. 2005)
- Steel Co. v. Citizens for a Better Environment, 523 U.S. 83, 89 (1998)
- New Mexicans for Bill Richardson v. Gonzalez, 64 F.3d 1495, 1499 (10th Cir. 1995)

- Renne v. Geary, 501 U.S. 312, 317 (1991)
- McNutt v. General Motors Acceptance Corp. of Indiana, Inc., 298 U.S. 178, 182 (1936)
- Arbaugh v. Y & H Corp., 546 U.S. 500, 514 (2006)
- Image Software, Inc. v. Reynolds & Reynolds Co., 459 F.3d 1044, 1048 (10th Cir. 2006)
- Tafoya v. U.S. Department of Justice, 748 F.2d 1389, 1390 (10th Cir. 1984)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Whitney v. New Mexico, 113 F.3d 1170, 1173-74 (10th Cir. 1997)
- Hall v. Bellmon, 935 F.2d 1106, 1110 (10th Cir. 1991)

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