

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OHIO, EASTERN DIVISION

Donita J. Echoles v. City of Akron, et al.

Echoles · No. 5:25-cv-02650 · Decided March 2, 2026

SUMMARY

The United States District Court for the Northern District of Ohio dismissed Donita J. Echoles’s amended civil-rights complaint concerning the removal and temporary custody of her children. The court held that Younger abstention applied because the state juvenile-court proceedings were ongoing, implicated important state interests, and provided an adequate opportunity to raise constitutional claims. The action was dismissed for lack of subject-matter jurisdiction under Federal Rule of Civil Procedure 12(h)(3), and the court certified that an appeal could not be taken in good faith.

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio, Eastern Division
WRITING FOR THE COURT	Benita Y. Pearson
JURISDICTION	United States District Court for the Northern District of Ohio, Eastern Division
DECIDED	March 2, 2026
DOCKET	5:25-cv-02650
DISPOSITION	dismissed
PROCEDURAL POSTURE	The plaintiff filed a pro se civil-rights action under 42 U.S.C. § 1983 and moved to amend her complaint. The district court screened the in forma pauperis pleading before service and dismissed the amended complaint for lack of subject-matter jurisdiction under Younger abstention and Federal Rule of Civil Procedure 12(h)(3).
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2)(B), the court screened the in forma pauperis complaint before service and applied the plausibility standard governing dismissal for failure to state a claim. Subject-matter jurisdiction was reviewed under Federal Rule of Civil Procedure 12(h)(3), which requires dismissal whenever the court determines that jurisdiction is lacking.
PRECEDENTIAL VALUE	unpublished, nonprecedential district-court memorandum

PARTIES

Donita J. Echoles v. City of Akron, Summit County Children Services Board, Savannah Weinhart, Kim Wilcox, Jane and John Doe CSB Workers and Akron Police Officers, Unknown Supervisory Personnel

TOPICS

subject matter jurisdiction

child custody

family law procedure

motions to dismiss

civil procedure

PRACTICE AREAS

civil rights

family law

federal jurisdiction

QUESTIONS PRESENTED

1. Whether the district court could exercise jurisdiction over federal and state-law claims arising from ongoing Ohio child-custody proceedings.
2. Whether Younger abstention applied because the state custody proceedings were pending, involved important state interests, and afforded the plaintiff an adequate opportunity to raise federal constitutional claims.
3. Whether the amended complaint should be dismissed under Federal Rule of Civil Procedure 12(h)(3) for lack of subject-matter jurisdiction.

HOLDINGS

1. Younger abstention applied because the state child-custody proceedings were pending, implicated important state interests, and afforded the plaintiff an adequate opportunity to raise her federal constitutional claims.
2. The amended complaint was dismissed for lack of subject-matter jurisdiction under Federal Rule of Civil Procedure 12(h)(3) because Younger abstention barred federal interference with the pending state custody proceedings.

KEY QUOTATIONS

“Younger abstention applies when the state proceeding (1) is currently pending, (2) involves an important state interest, and (3) affords the plaintiff an adequate opportunity to raise constitutional claims.” (III)

“For the foregoing reasons, Plaintiff’s Amended Complaint (ECF No. 6) is dismissed for lack of subject matter jurisdiction under Fed. R. Civ. P. 12(h)(3) and Younger v. Harris.” (IV)

FACTUAL BACKGROUND

The plaintiff alleged that Akron police officers and Summit County Children Services employees removed her minor children from her custody without a warrant while she was hospitalized in an intensive-care unit. She claimed the seizure was based on false reports that her medical condition resulted from drug abuse and alleged procedural misconduct in subsequent child-custody proceedings. Temporary custody was awarded to the

children's father, and the state proceedings remained pending with only a temporary custody order entered and supportive services continuing.

PROCEDURAL HISTORY

Echoles filed her original complaint on December 5, 2025, along with motions to proceed in forma pauperis, for emergency injunctive relief, appointment of counsel, and sealing. She moved to amend on December 30, 2025, and filed another in forma pauperis motion on January 15, 2026. The district court considered the amended complaint during mandatory screening and dismissed the action because the claims sought to interfere with ongoing Ohio child-custody proceedings and all three Younger abstention factors were satisfied.

DISPOSITION

dismissed

CASES CITED

- Hill v. Lappin, 630 F.3d 468, 470-71 (6th Cir. 2011)
- Ashcroft v. Iqbal, 556 U.S. 662 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007)
- Williams v. Curtin, 631 F.3d 380, 383 (6th Cir. 2011)
- Pilgrim v. Littlefield, 92 F.3d 413, 416 (6th Cir. 1996)
- Erwin v. Edwards, 22 F. App'x 579 (6th Cir. 2001)
- Nikolao v. Lyon, 875 F.3d 310, 315 (6th Cir. 2017)
- Younger v. Harris, 401 U.S. 37, 44-45 (1971)
- Carroll v. City of Mount Clemens, 139 F.3d 1072, 1074 (6th Cir. 1998)
- Middlesex County Ethics Committee v. Garden State Bar Association, 457 U.S. 423, 432 (1982)
- Moore v. Sims, 442 U.S. 415, 430, 435 (1979)
- Meyers v. Franklin County Court of Common Pleas, 23 F. App'x 201, 204-05 (6th Cir. 2001)
- Dunaway v. Wallace, No. 3:26-cv-7, 2026 WL 265969, at *2 (S.D. Ohio Feb. 2, 2026)
- Furr-Barry v. Underwood, 59 F. App'x 796, 797-98 (6th Cir. 2003)
- Pennzoil Co. v. Texaco, 481 U.S. 1, 15 (1987)
- Szarell v. Summit County Court of Common Pleas, No. 5:18-cv-2975, 2019 WL 3946191, at *3 (N.D. Ohio Aug. 21, 2019)