

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

James B. Herrera v. Maddox Management, LLC

No. 1:25-cv-00658 KWR/JMR (D.N.M. Jan. 6, 2026) · No. 1:25-cv-00658 KWR/JMR · Decided January 6, 2026

SUMMARY

The United States District Court for the District of New Mexico dismissed James B. Herrera’s claims against Maddox Management, LLC under the Fair Housing Act and Rehabilitation Act. The court held that the Second Amended Complaint failed to plausibly allege discrimination, retaliation, disability, federal financial assistance, or a causal connection between protected activity and the defendant’s conduct. The court also noted that Herrera abandoned his procedural due process claim by omitting it from the Second Amended Complaint.

CASE DETAILS

COURT	United States District Court for the District of New Mexico
WRITING FOR THE COURT	Kea W. Riggs
JURISDICTION	United States District Court for the District of New Mexico
DECIDED	January 6, 2026
DOCKET	1:25-cv-00658 KWR/JMR
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court sua sponte reviewed Plaintiff’s in forma pauperis Second Amended Complaint after issuing a second order to show cause why the case should not be dismissed. The court also considered the deficiencies identified in its prior memorandum opinion and order and dismissed the remaining Fair Housing Act and Rehabilitation Act claims.
STANDARD OF REVIEW	On sua sponte review under 28 U.S.C. § 1915(e)(2) and under Federal Rule of Civil Procedure 12(b)(6), the court accepted well-pleaded allegations as true, viewed them in the light most favorable to Plaintiff, drew reasonable inferences in his favor, and determined whether the complaint stated a facially plausible claim. The court could consider exhibits attached to or incorporated into the complaint, with the exhibits controlling over conflicting allegations.
PRECEDENTIAL VALUE	unpublished district court opinion; limited persuasive value

PARTIES

James B. Herrera v. Maddox Management, LLC

TOPICS

motions to dismiss

civil procedure

civil rights

ada / disability

landlord tenant

PRACTICE AREAS

Civil procedure

Fair Housing Act

Rehabilitation Act

Disability discrimination

Housing and eviction

QUESTIONS PRESENTED

1. Whether the Second Amended Complaint plausibly stated a Fair Housing Act disability-discrimination, interference, or retaliation claim.
2. Whether the Second Amended Complaint plausibly stated a claim under § 504 of the Rehabilitation Act.
3. Whether any challenge to damages awarded in the state-court eviction judgment was barred by the Rooker-Feldman doctrine.
4. Whether the court was required to grant leave to amend a third time after Plaintiff failed to cure deficiencies identified in prior orders.

HOLDINGS

1. The Second Amended Complaint failed to state a plausible Fair Housing Act claim because Plaintiff did not plead facts showing disability, discriminatory intent, a causal connection between protected status or activity and the alleged adverse actions, or that Defendant's rental verification contained the asserted false or misleading information.
2. The Second Amended Complaint failed to state a claim under § 504 of the Rehabilitation Act because Plaintiff did not plausibly allege that he was disabled, otherwise qualified, that Defendant was a covered program or activity receiving federal financial assistance, or that Defendant discriminated against him because of disability.
3. To the extent Plaintiff challenged the state-court judgment awarding damages, the federal court lacked jurisdiction under the Rooker-Feldman doctrine, and that portion of the claim had to be dismissed without prejudice.
4. The court was not required to sua sponte grant leave to amend a third time because Plaintiff had already been allowed to amend twice and failed to cure the identified pleading deficiencies.

KEY QUOTATIONS

“To prove a § 3617 retaliation claim, a plaintiff must show that ‘(1) [he] is a protected individual under the FHA, (2) [he] was engaged in the exercise or enjoyment of [his] fair housing rights, (3) the defendants coerced, threatened, intimidated, or interfered with the plaintiff on account of [his] protected activity under the FHA, and (4) the defendants were motivated by an intent to discriminate.’” (Discussion § I)

“No otherwise qualified individual with a disability ... shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” (Discussion § II)

FACTUAL BACKGROUND

Herrera rented an apartment managed by Maddox Management from 2021 until he vacated in 2024. During an eviction dispute, he applied for housing at Tesoro Apartments using housing assistance, and Maddox provided a rental verification stating that Herrera sometimes paid rent late; the verification, as presented in the complaint, did not state that he was unsuitable for tenancy, owed a delinquent balance, or had pending eviction proceedings. Herrera alleged that Maddox's conduct caused the prospective rental to fail and later alleged retaliation based on a HUD complaint, disability, and Maddox's pursuit of damages in the state eviction proceeding. The state courts ultimately entered an eviction judgment and awarded Maddox damages and attorney fees.

PROCEDURAL HISTORY

Herrera was evicted in a state-court proceeding and later filed this federal action asserting Fair Housing Act, procedural due process, and Rehabilitation Act claims. The court previously dismissed or found deficient the claims and allowed amendment. Herrera filed a Second Amended Complaint, omitting the procedural due process claim but continuing to assert Fair Housing Act and Rehabilitation Act claims. The court concluded that the amended pleading still failed to state a claim and dismissed all claims with prejudice, except that any challenge to damages awarded in the state-court judgment was dismissed without prejudice for lack of jurisdiction under Rooker-Feldman.

DISPOSITION

dismissed

CASES CITED

- *Mooring Cap. Fund, LLC v. Knight*, 388 F. App'x 814, 823 (10th Cir. 2010)
- *Tufaro v. Oklahoma ex rel. Bd. of Regents of Univ. of Oklahoma*, 107 F.4th 1121, 1137 (10th Cir. 2024)
- *Johnson v. Spencer*, 950 F.3d 680, 705 (10th Cir. 2020)
- *Pace v. Swerdlow*, 519 F.3d 1067, 1072 (10th Cir. 2008)
- *Hall v. Bellmon*, 935 F.2d 1106, 1110, 1112 (10th Cir. 1991)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 557, 570 (2007)
- *Mann v. Boatright*, 477 F.3d 1140, 1148 (10th Cir. 2007)
- *Brooks v. Mentor Worldwide LLC*, 985 F.3d 1272, 1281 (10th Cir. 2021)
- *Nasious v. Two Unknown B.I.C.E. Agents*, 492 F.3d 1158, 1163 (10th Cir. 2007)
- *Brown v. Montoya*, 662 F.3d 1152, 1162-63 (10th Cir. 2011)
- *Kellum v. Mares*, 657 F. App'x 763, 770 (10th Cir. 2016)
- *Khalik v. United Air Lines*, 671 F.3d 1188, 1193 (10th Cir. 2012)

- Waller v. City & County of Denver, 932 F.3d 1277, 1282 (10th Cir. 2019)
- Smith v. United States, 561 F.3d 1090, 1098 (10th Cir. 2009)
- Brokers' Choice of Am., Inc. v. NBC Universal, Inc., 861 F.3d 1081, 1105 (10th Cir. 2017)
- Morgan v. Carrington Mortg. Servs., 719 F. App'x 735, 743-44 (10th Cir. 2018)
- Wilson v. Warren Cty., 830 F.3d 464, 467-68 (7th Cir. 2016)
- Cinnamon Hills Youth Crisis Ctr., Inc. v. St. George City, 685 F.3d 917, 919-20 (10th Cir. 2012)
- Bloch v. Frischholz, 587 F.3d 771, 783 (7th Cir. 2009)
- Toyota Motor Mfg., Ky., Inc. v. Williams, 534 U.S. 184, 198 (2002)
- Enwonwu v. Fulton-DeKalb Hosp. Auth., 286 F. App'x 586, 603 (11th Cir. 2008)
- Schrader v. Fred A. Ray, M.D., P.C., 296 F.3d 968, 974 (10th Cir. 2002)
- Garner v. Gonzales, 167 F. App'x 21, 24 (10th Cir. 2006)
- Frank v. U.S. W., Inc., 3 F.3d 1357, 1365 (10th Cir. 1993)

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