

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, EASTERN DIVISION

Robby Owens v. Officer Willie Brown et al.

Case No. 4:25-cv-00571-SRC (E.D. Mo. May 14, 2026) · No. 4:25-cv-00571-SRC · Decided May 14, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri dismisses Robby Owens’s amended complaint under 28 U.S.C. § 1915(e)(2)(B). The court holds that Owens’s 42 U.S.C. § 1983 claims are barred by Missouri’s five-year statute of limitations and that 18 U.S.C. § 242 provides no private right of action; the court also finds the claim under 18 U.S.C. § 248 untimely. The action is dismissed with prejudice, and the court certifies that an appeal would not be taken in good faith.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Eastern Division
WRITING FOR THE COURT	Stephen R. Clark
JURISDICTION	United States District Court for the Eastern District of Missouri, Eastern Division
DECIDED	May 14, 2026
DOCKET	4:25-cv-00571-SRC
DISPOSITION	dismissed
PROCEDURAL POSTURE	The self-represented plaintiff filed an amended civil-rights complaint after being granted leave to proceed in forma pauperis. The district court screened the amended complaint under 28 U.S.C. § 1915(e)(2) and dismissed the action with prejudice.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2), the court must dismiss an in forma pauperis complaint that is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief from an immune defendant. In evaluating whether the complaint states a plausible claim, the court accepts well-pleaded factual allegations as true, disregards legal conclusions, and liberally construes a self-represented litigant's allegations without supplying unalleged facts or constructing a legal theory.
PRECEDENTIAL VALUE	nonprecedential district court memorandum and order

TOPICS

statute of limitations

section 1983

civil rights

pleadings

civil procedure

PRACTICE AREAS

civil procedure

civil rights

statute of limitations

QUESTIONS PRESENTED

1. Whether Owens's claims under 42 U.S.C. § 1983 were barred by the applicable statute of limitations.
2. Whether Owens's assertion that defendants' conduct constituted a continuing pattern avoided the statute of limitations for discrete alleged acts.
3. Whether 18 U.S.C. § 242 provides a private right of action.
4. Whether Owens's claim under 18 U.S.C. § 248 was barred by the applicable statute of limitations.

HOLDINGS

1. Owens's section 1983 claims were barred by Missouri's five-year statute of limitations because he filed suit more than twelve years after the latest alleged event.
2. Owens's conclusory assertion that defendants' conduct was a continuing pattern did not avoid the statute of limitations because the alleged conduct consisted of discrete acts.
3. 18 U.S.C. § 242 does not provide a private right of action.
4. Owens's claim under 18 U.S.C. § 248 was barred by the four-year statute of limitations.

KEY QUOTATIONS

“Under 28 U.S.C. § 1915(e)(2), the Court shall dismiss a complaint filed in forma pauperis if the action “(i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief.”” (Standard)

“Accordingly, the Court dismisses this action with prejudice under 28 U.S.C. § 1915(e)(2)(B).” (Conclusion)

FACTUAL BACKGROUND

Owens alleged that defendants attacked and assaulted him in 2006 and 2007, that a police officer unlawfully arrested and assaulted him in March 2007, and that defendants filed allegedly fraudulent property documents and executed a quitclaim deed concerning a St. Louis property in 2007 and 2012. He asserted claims under 42 U.S.C. § 1983 and 18 U.S.C. §§ 242 and 248. He filed the action on April 24, 2025, more than twelve years after the latest alleged event.

PROCEDURAL HISTORY

In August 2025, the court granted Owens leave to proceed in forma pauperis and ordered him to file an amended complaint on the court-provided form. Owens filed the amended complaint. On May 14, 2026, the court

dismissed the action with prejudice under 28 U.S.C. § 1915(e)(2)(B) because the claims were barred by statutes of limitations or lacked a private right of action, and certified that an appeal would not be taken in good faith.

DISPOSITION

dismissed

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555 (2007)
- Barton v. Taber, 820 F.3d 958, 964 (8th Cir. 2016)
- White v. Clark, 750 F.2d 721, 722 (8th Cir. 1984) (per curiam)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007) (per curiam)
- Haines v. Kerner, 404 U.S. 519, 520 (1972) (per curiam)
- Solomon v. Petray, 795 F.3d 777, 787 (8th Cir. 2015)
- Stone v. Harry, 364 F.3d 912, 914–15 (8th Cir. 2004)
- Martin v. Aubuchon, 623 F.2d 1282, 1286 (8th Cir. 1980)
- McNeil v. United States, 508 U.S. 106, 113 (1993)
- Walker v. Barrett, 650 F.3d 1198, 1205 (8th Cir. 2011)
- Sulik v. Taney Cnty., 393 F.3d 765, 767 (8th Cir. 2005)
- Wallace v. Kato, 549 U.S. 384, 388 (2007)
- Myers v. Vogel, 960 F.2d 750, 751 (8th Cir. 1992)
- Hughes v. City of Cedar Rapids, 840 F.3d 987, 994 (8th Cir. 2016)
- High v. Univ. of Minn., 236 F.3d 909, 909 (8th Cir. 2000)
- Montin v. Est. of Johnson, 636 F.3d 409, 415–16 (8th Cir. 2011)
- United States v. Wadena, 152 F.3d 831, 846 (8th Cir. 1998)
- United States v. Dinwiddie, 76 F.3d 913, 923 n.6 (8th Cir. 1996)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION ROBBY OWENS,)) Plaintiff,)) v.) Case No. 4:25-cv-00571-SRC) OFFICER WILLIE BROWN et al.,)) Defendants.) Memorandum and Order In August 2025, the Court granted Owens’s motion for leave to proceed in forma pauperis, doc. 2, and ordered Owens to file an amended complaint on the Court-provided form no later than September 11, 2025.

Doc. 10 at 3 (The Court cites to page numbers as assigned by CM/ECF.). Owens complied, doc. 12, and the Court now reviews the amended complaint under 28 U.S.C. § 1915(e)(2). For the following reasons, the Court dismisses this action.

I. Background Owens alleges that several defendants engaged in a “coordinated scheme” to intimidate him and seize control of a “sacred historical site” located at 5579 Labadie Avenue in St. Louis, Missouri. Doc. 12 at 5. Owen first claims that on November 26, 2006, Owens and his family were “subjected to a violent attack.” Id. Owens then claims that on March 11, 2007, Defendants Sharron Brown and Cori Bush Merritts incited a “group assault” against him and his uncle.

Id. He also alleges that on the same day, Defendant Willie Brown, a Captain with the St. Louis Police Department, unlawfully arrested and assaulted him after officers handcuffed him. Id. Owens separately alleges that on March 25, 2007, Defendants Vickie Brown, Sharron Brown, and Thesola Dumas filed “fraudulent property documents.” Id. Finally, Owens claims that on November 19, 2012, the Defendants executed a “fraudulent quitclaim deed” to seize control of the property.

Id. Owens asserts claims under 42 U.S.C. § 1983 and under two federal statutes, including 18 U.S.C. §§ 242, 248. Id. at 3. He seeks \$1,100,000 in actual damages and \$1,100,000 in punitive damages. Id. at 6. II. Standard Under 28 U.S.C. § 1915(e)(2), the Court shall dismiss a complaint filed in forma pauperis if the action “(i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief.” To sufficiently state a claim for relief, a complaint must plead more than “legal conclusions” and “[t]hreadbare recitals of the elements of a cause of action [that are] supported by mere conclusory statements.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (citing *Bell Atl.*

Corp. v. Twombly, 550 U.S. 544, 555 (2007)). A plaintiff must demonstrate a plausible claim for relief, which requires more than a “mere possibility of misconduct.” Id. at 679. “A claim has facial plausibility when the plaintiff pleads factual content that allows the Court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” Id. at 678 (citing *Twombly*, 550 U.S. at 556).

To determine whether a complaint states a plausible claim for relief, the Court must engage in “a context-specific task that requires the reviewing court to draw on its judicial experience and common sense.” Id. at 679 (citation omitted).

In doing so, the Court must “accept as true the facts alleged, but not legal conclusions.” *Barton v. Taber*, 820 F.3d 958, 964 (8th Cir. 2016) (citing *Iqbal*, 556 U.S. at 678). When reviewing a self-represented litigant’s complaint under section 1915, the Court accepts the well-pleaded facts as true, *White v. Clark*, 750 F.2d 721, 722 (8th Cir. 1984) (per curiam), and liberally construes the complaint, *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (per curiam); *Haines v. Kerner*, 404 U.S. 519, 520 (1972) (per curiam).

A “liberal construction” means that, if the Court can discern “the essence of an allegation,” the “[C]ourt should construe the complaint in a way that permits” it to consider the claim within the proper legal framework. *Solomon v. Petray*, 795 F.3d 777, 787 (8th Cir. 2015) (quoting *Stone v. Harry*, 364 F.3d 912, 914 (8th Cir. 2004)). Even so, self-represented plaintiffs must allege facts that, if true, state a claim for relief as a matter of law.

Martin v. Aubuchon, 623 F.2d 1282, 1286 (8th Cir. 1980). The Court need not assume unalleged facts. *Stone*, 364 F.3d at 914–15 (refusing to supply additional facts or to construct a legal theory for the self-represented plaintiff). Nor must the Court interpret procedural rules to excuse mistakes by those who proceed without counsel. See *McNeil v. United States*, 508 U.S. 106, 113 (1993).

III. Discussion Section 1983 does not contain a specific statute of limitations. See 42 U.S.C. § 1983. Instead, federal courts adopt the forum state’s limitations period for personal-injury actions. See *Walker v. Barrett*, 650 F.3d 1198, 1205 (8th Cir. 2011).

In Missouri, a five-year statute of limitations applies to section 1983 claims. *Sulik v. Taney Cnty.*, 393 F.3d 765, 767 (8th Cir. 2005); Mo. Rev. Stat. § 516.120. A section 1983 claim accrues “when the plaintiff has a complete and present cause of action,” that is, when the plaintiff “can file suit and obtain relief.” *Wallace v. Kato*, 549 U.S. 384, 388 (2007) (cleaned up).

Although the statute of limitations constitutes an affirmative defense, the Court may dismiss a complaint under section 1915 “when it is apparent the statute of limitations has run.” *Myers v. Vogal*, 960 F.2d 750, 751 (8th Cir. 1992) (per curiam). Owens first claims that on November 26, 2006, Owens and his family were “subjected to a violent attack.” Doc. 12 at 5.

Owens then alleges that the arrest and assault occurred on March 11, 2007. *Id.* He also alleges Defendants filed fraudulent property documents on March 25, 2007, and executed a fraudulent quitclaim deed on November 19, 2012. *Id.* But Owens filed this action on April 24, 2025, see doc. 1, more than 12 years after the latest event, *id.* at 5. Owens’s conclusory assertion that Defendants’ conduct is a “continuing pattern” does not change this conclusion, see doc.

12 at 5. *Hughes v. City of Cedar Rapids*, 840 F.3d 987, 994 (8th Cir. 2016) (“A court need not accept conclusory allegations.”). And even if the continuing violation doctrine applies to section 1983 claims, it does not save claims based on discrete acts like those Owens describes. See *High v. Univ. of Minn.*, 236 F.3d 909, 909 (8th Cir. 2000) (“This court has never applied the continuing violations doctrine to a discrete act[.]”); see also *Montin v. Est. of Johnson*, 636 F.3d 409, 415–16 (8th Cir.

2011). The statute of limitations therefore bars his section 1983 claims, and the Court dismisses them under section 1915(e)(2)(B). See *Myers*, 960 F.2d at 750–51. Finally, 18 U.S.C. § 242 does not provide a private right of action. See *United States v. Wadena*, 152 F.3d 831, 846 (8th Cir. 1998). And while 18 U.S.C. § 248 provides a civil cause of action for “conduct that interferes with

religious services conducted in a place of worship,” see *United States v. Dinwiddie*, 76 F.3d 913, 923 n.6 (8th Cir.

1996), the statute of limitations for Owens’s claim ran over a decade ago, see doc. 12 at 5. 28 U.S.C. § 1658 (providing a 4-year statute of limitations on civil actions arising under an “Act of Congress” passed after 1990). Congress enacted 18 U.S.C. § 248 in 1994. See Freedom of Access to Clinic Entrances Act of 1994, Pub. L. No. 103-259, 108 Stat. 694.

The Court therefore dismisses these claims under section 1915(e)(2)(B). The Court doubts Owens’s Amended Complaint would otherwise survive merits review under section 1915. See doc. 12. But, because the statutes of limitation bar several of his claims, the Court need not further address the merits.

The Court also certifies that an appeal would not be taken in good faith. 28 U.S.C. § 1915(a)(3).
IV. Conclusion Accordingly, the Court dismisses this action with prejudice under 28 U.S.C. § 1915(e)(2)(B). A separate order of dismissal accompanies this Memorandum and Order. So ordered this 14th day of May 2026. STEPHEN R. CLARK ~ CHIEF UNITED STATES DISTRICT JUDGE