

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO, WESTERN DIVISION

Mark Martin v. Judge Travis L. Fliehman, et al.

Martin · No. 3:25-cv-272 · Decided January 5, 2026

SUMMARY

This Report and Recommendation addresses a pro se 42 U.S.C. § 1983 complaint arising from pending state criminal proceedings in the Darke County, Ohio Court of Common Pleas. The magistrate judge recommends staying the federal action under Younger abstention, administratively closing the case, and denying in forma pauperis status for any appeal of an adopting order.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio, Western Division
WRITING FOR THE COURT	Elizabeth A. Preston Deavers; Michael J. Newman; Elizabeth P. Deavers
JURISDICTION	United States District Court for the Southern District of Ohio, Western Division
DECIDED	January 5, 2026
DOCKET	3:25-cv-272
DISPOSITION	other
PROCEDURAL POSTURE	Pro se plaintiff filed a 42 U.S.C. § 1983 complaint challenging events and constitutional violations arising from ongoing state-court criminal proceedings. After granting leave to proceed in forma pauperis, the court conducted sua sponte screening under 28 U.S.C. § 1915(e)(2)(B) and issued a Report and Recommendation that the action be stayed under Younger abstention and administratively closed.
STANDARD OF REVIEW	Sua sponte screening of an in forma pauperis complaint under 28 U.S.C. § 1915(e)(2)(B), including frivolousness and failure-to-state-a-claim standards. The court applied the Younger abstention factors to the requested federal interference with pending state criminal proceedings.
PRECEDENTIAL VALUE	nonprecedential

PARTIES

Mark Martin v. Judge Travis L. Fliehman, et al.

TOPICS

section 1983

civil procedure

injunctions

due process

right to counsel

PRACTICE AREAS

Civil rights

Federal courts

Criminal procedure

Constitutional law

QUESTIONS PRESENTED

1. Whether the federal court should abstain under *Younger* from interfering with Martin's pending state criminal proceedings.
2. Whether the action should be stayed rather than dismissed because Martin sought monetary damages in addition to injunctive and declaratory relief.
3. Whether the complaint should be dismissed at the screening stage as frivolous, malicious, insufficiently pleaded, or barred by immunity.

HOLDINGS

1. *Younger* abstention is appropriate when state proceedings are pending, involve important state interests, and provide an adequate opportunity to raise federal constitutional claims; all three factors were present here.
2. When *Younger* abstention applies to an action seeking damages, the district court should stay rather than dismiss the complaint.
3. The allegations did not establish the extraordinary circumstances necessary to overcome *Younger* abstention.

KEY QUOTATIONS

"All three factors supporting Younger abstention are present in this case." (5)

"Thus, under Younger, this Court must stay this action pending resolution of plaintiff's underlying criminal case in the state court." (6)

FACTUAL BACKGROUND

Martin was charged with four counts of trafficking in cocaine in the Darke County Court of Common Pleas. After an arrest warrant was issued and served, he was granted bond and later entered a negotiated plea agreement; sentencing was scheduled for January 23, 2026. In his federal complaint, Martin alleged unlawful seizure, deprivation of property, denial of counsel, due-process violations, confrontation violations, and other constitutional violations arising from his arrest and state criminal proceedings, and sought declaratory relief, injunctions halting the state proceedings, and damages.

PROCEDURAL HISTORY

Martin filed a civil-rights complaint while criminal proceedings against him remained pending in the Darke County, Ohio Court of Common Pleas. The federal court granted him leave to proceed in forma pauperis and reviewed the complaint sua sponte. The magistrate judge recommended staying the case, administratively closing it, and certifying that an appeal from any adopting order would not be taken in good faith.

DISPOSITION

other

CASES CITED

- Denton v. Hernandez, 504 U.S. 25, 31-32 (1992)
- Neitzke v. Williams, 490 U.S. 319, 324, 327-29 (1989)
- Lawler v. Marshall, 898 F.2d 1196, 1198-99 (6th Cir. 1990)
- Hill v. Lappin, 630 F.3d 468, 470-71 (6th Cir. 2010)
- Erickson v. Pardus, 551 U.S. 89, 93-94 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555-57, 570 (2007)
- Papasan v. Allain, 478 U.S. 265, 286 (1986)
- Lynch v. Leis, 382 F.3d 642, 648 n.5 (6th Cir. 2004)
- Lyons v. Stovall, 188 F.3d 327, 332 n.3 (6th Cir. 1999)
- Younger v. Harris, 401 U.S. 37, 43-46, 53-54 (1971)
- Kelm v. Hyatt, 44 F.3d 415, 419-20 (6th Cir. 1995)
- Nilsson v. Ruppert, Bronson & Chicarelli Co., 888 F.2d 452, 454 (6th Cir. 1989)
- Pennzoil Co. v. Texaco, Inc., 481 U.S. 1, 11, 15 (1987)
- Huffman v. Pursue, Ltd., 420 U.S. 592, 603-05, 608 (1975)
- Loch v. Watkins, 337 F.3d 574, 578 (6th Cir. 2003)
- Foster v. Kassulke, 898 F.2d 1144, 1146 (6th Cir. 1990)
- Fieger v. Thomas, 74 F.3d 740, 750 (6th Cir. 1996)
- Carroll v. City of Mount Clemens, 139 F.3d 1072, 1075 (6th Cir. 1998)
- Lucas v. Lewis, Case No. 1:22-cv-741, 2023 WL 2154680, at *3 (S.D. Ohio Feb. 22, 2023)
- Heck v. Humphrey, 512 U.S. 477, 486-87 (1994)
- Prieser v. Rodriguez, 411 U.S. 475, 500 (1973)
- Callihan v. Schneider, 178 F.3d 800, 803 (6th Cir. 1999)
- Floyd v. United States Postal Serv., 105 F.3d 274, 277 (6th Cir. 1997)
- Thomas v. Arn, 474 U.S. 140 (1985)
- United States v. Walters, 638 F.2d 947 (6th Cir. 1981)

