

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAI‘I

Kelvin Simmons v. Judge Karin L. Holma, et al.

Simmons v. Holma, No. 25-cv-00307-DKW-WRP (D. Haw. Mar. 30, 2026) · No. 25-cv-00307-DKW-WRP ·

Decided March 30, 2026

SUMMARY

The United States District Court for the District of Hawai‘i revoked Kelvin Simmons’s leave to proceed in forma pauperis and dismissed the action under 28 U.S.C. § 1915(e)(2)(B) for failure to state a claim. The court concluded that the Amended Complaint failed to identify specific defendants, allege meaningful facts, or satisfy basic federal pleading requirements, and directed the Clerk to enter judgment and close the case.

CASE DETAILS

COURT	United States District Court for the District of Hawai‘i
WRITING FOR THE COURT	Derrick K. Watson
JURISDICTION	United States District Court for the District of Hawai‘i
DECIDED	March 30, 2026
DOCKET	25-cv-00307-DKW-WRP
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court sua sponte revoked Plaintiff's leave to proceed in forma pauperis and dismissed the action for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B).
STANDARD OF REVIEW	The court determined whether the pleadings stated a claim for relief under 28 U.S.C. § 1915(e)(2)(B).
PRECEDENTIAL VALUE	unknown

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QUESTIONS PRESENTED

1. Whether the Amended Complaint stated a claim upon which relief could be granted under 28 U.S.C. § 1915(e)(2)(B).
2. Whether the court should revoke Simmons's in forma pauperis status after determining that the action failed to state a claim.

HOLDINGS

1. The Amended Complaint failed to state a claim because it did not identify any specific Defendant who violated Simmons's rights, did not provide meaningful factual allegations concerning the alleged conduct, and relied on conclusory and vague assertions.
2. The court revoked Simmons's in forma pauperis status because his pleadings failed to state a claim for relief.

KEY QUOTATIONS

“the court shall dismiss the case at any time if the court determines that...the action or appeal...fails to state a claim on which relief may be granted[.]” (PageID.164)

“Therefore, other than through conclusory assertions, the Amended Complaint does not state what any specific Defendant did or failed to do and when, how any legal right was violated, or any injury Simmons suffered.” (Dkt. No. 220 at 12)

FACTUAL BACKGROUND

Simmons filed an action against Judge Karin L. Holma and other Defendants and submitted more than one hundred documents without obtaining relief. His Amended Complaint asserted claims against generalized groups of Defendants, contained no meaningful factual allegations identifying what any specific Defendant did or when, and relied on conclusory and vague assertions concerning alleged wrongdoing.

PROCEDURAL HISTORY

The court initially granted Simmons leave to proceed in forma pauperis and directed service of the original Complaint. After Defendants moved to dismiss, the court dismissed the original Complaint with leave to amend; Simmons filed an Amended Complaint, which the court found failed to satisfy basic federal pleading requirements. The court had dismissed the moving Defendants with prejudice and then applied the same deficiencies to all claims and Defendants, revoked IFP status, dismissed the case, directed entry of judgment, and ordered the case closed.

DISPOSITION

dismissed

CASES CITED

- Collier v. President of Stanford, 2023 WL 3035392, at *1 (N.D. Cal. Jan. 19, 2023)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAI'I KELVIN SIMMONS, Case No. 25-cv-00307-DKW-WRP Plaintiff, ORDER (1) REVOKING LEAVE TO PROCEED IN FORMA PAUPERIS vs. (IFP) AND (2) DISMISSING CASE FOR FAILURE TO STATE A CLAIM JUDGE KARIN L. HOLMA, et al., Defendants.

On July 25, 2025, three days after the initiation of this case, the Court granted Plaintiff Kelvin Simmons' application to proceed in district court without prepaying fees or costs (IFP Application) and directed service of the original Complaint. Dkt. No. 9.

In doing so, the Court observed that service of the Complaint was appropriate given the initial stages of the case and the lack of a response at that time from any of the Defendants, while acknowledging the likely existence of defenses to the claims. Eight months later, in March 2026, the nature of this case has become considerably more apparent. Simmons has filed well-over a hundred documents, none of which have resulted in any relief, certain Defendants moved to dismiss the Complaint, Dkt.

No. 127, the original Complaint has been dismissed with leave to amend, Dkt. No. 185, Simmons has filed an Amended Complaint, Dkt. No. 186, two Defendants moved to dismiss the same, Dkt. No. 202, and, on this date, the Court dismissed those Moving Defendants with prejudice from this case, Dkt. No. 220.

In that Dismissal Order, the Court found that judicial immunity barred certain claims against the Moving Defendants. The Court also found that all claims against the Moving Defendants were subject to dismissal with prejudice because the Amended Complaint did not come close to satisfying basic federal pleading requirements in any respect. Namely, the Amended Complaint asserts all claims against a generalized group of "Defendants", makes no meaningful factual allegations, and relies upon conclusory and vague assertions of wrongdoing.

In addition, because Simmons had been advised of the pleading standards and how to meet them, and nonetheless failed to follow the same in the Amended Complaint, further leave to amend was unwarranted. The Court's findings in the Dismissal Order apply equally to all claims in this action and all Defendants. Specifically, to repeat in relevant part: The deficiencies [with the Amended Complaint] are numerous.

First, the Amended Complaint fails to state the name of any specific Defendant that violated Simmons' rights. Instead, it is simply all "Defendants", all "state actors", and/or all "private actors". Second, the Amended Complaint contains not one factual allegation of any "post-notice conduct", or even the nature of the alleged "notice".

The same is true of the so-called "poison origin foundation", "interference", "deliberate indifference", and "retaliat[ion]". Therefore, other than through conclusory assertions, the

Amended Complaint does not state what any specific Defendant did or failed to do and when, how any legal right was violated, or any injury Simmons suffered.

In other words, the Amended Complaint fails on every one of the basic pleading requirements identified in the December 22, 2025 Order. Dkt. No. 220 at 12. In this light, it is not only evident that the Amended Complaint fails to state a claim upon which relief may be granted, but Simmons is unable to do so.

In such a situation, the pertinent federal statute is clear: “the court shall dismiss the case at any time if the court determines that...the action or appeal...fails to state a claim on which relief may be granted[.]” 28 U.S.C. § 1915(e)(2)(B) (emphasis added); see, e.g., *Collier v. President of Stanford*, 2023 WL 3035392, at *1 (N.D. Cal. Jan. 19, 2023) (revoking IFP status where the plaintiff “failed to state a valid claim” and “filed multiple convoluted and frivolous” documents).

Therefore, because Simmons’ pleadings fail to state a claim for relief, his IFP status is REVOKED, and this action is DISMISSED as to all Defendants, pursuant to Section 1915(e)(2) (B). After entry of this Order, the Clerk is directed to enter Judgment and then close this case. IT IS SO ORDERED. DATED: March 30, 2026 at Honolulu, Hawai‘i. *dot* Derrick K. Watson Rn
Chief United States District Judge