

UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

Ahmed Shaikh v. Fox News Network, LLC, Paramount Global,
Warner Bros. Discovery, Inc., NBCUniversal Media, LLC, The Walt
Disney Company

Shaikh · No. 25-12004 · Decided June 4, 2026

SUMMARY

The Eleventh Circuit affirmed the dismissal for lack of subject-matter jurisdiction of Ahmed Shaikh’s pro se complaint against several media companies. The court held that the federal claims were wholly insubstantial and frivolous because the allegations had no plausible foundation, and it treated Shaikh’s diversity-jurisdiction argument as abandoned. The court also rejected challenges concerning the treatment of his filings and pending motions.

CASE DETAILS

COURT	United States Court of Appeals for the Eleventh Circuit
WRITING FOR THE COURT	Per curiam; Newsom; Brasher; Tjoflat
JURISDICTION	United States Court of Appeals for the Eleventh Circuit
DECIDED	June 4, 2026
DOCKET	25-12004
DISPOSITION	affirmed
PROCEDURAL POSTURE	Shaikh appealed the district court's dismissal of his complaint for lack of subject matter jurisdiction under Federal Rule of Civil Procedure 12(b)(1).
STANDARD OF REVIEW	The Eleventh Circuit reviews a district court's dismissal for lack of subject matter jurisdiction de novo.
PRECEDENTIAL VALUE	Published and designated for publication
PARTIES	Ahmed Shaikh v. Fox News Network, LLC, Paramount Global, Warner Bros. Discovery, Inc., NBCUniversal Media, LLC, The Walt Disney Company

TOPICS

- subject matter jurisdiction
- motions to dismiss
- appellate procedure
- standard of review
- civil procedure

PRACTICE AREAS

Civil procedure

Federal jurisdiction

Appellate procedure

QUESTIONS PRESENTED

1. Whether the district court properly dismissed Shaikh's federal claims for lack of subject matter jurisdiction because they were wholly insubstantial and frivolous.
2. Whether the district court improperly treated a factual attack on subject matter jurisdiction as a merits challenge.
3. Whether Shaikh abandoned his argument that diversity jurisdiction supplied an independent basis for federal jurisdiction.
4. Whether the district court was required to consider Shaikh's forensic report and agency-relationship documents when ruling on the motions to dismiss.

HOLDINGS

1. A federal court may dismiss for lack of subject matter jurisdiction when a claim under the Constitution or federal statutes is wholly insubstantial and frivolous, meaning that it has no plausible foundation. Shaikh's allegations were wholly insubstantial and frivolous, so the district court properly dismissed the complaint for lack of federal-question jurisdiction.
2. Shaikh abandoned his argument that diversity jurisdiction supplied an independent basis for jurisdiction by failing to develop that issue on appeal.
3. Shaikh did not show that the district court was required to consider his forensic report and agency-relationship documents in ruling on the motions to dismiss.
4. Once the court determined that it lacked subject matter jurisdiction, it was powerless to continue and therefore did not err by failing to address the merits of the ECPA claim or by denying Shaikh's Rule 11 motion without extended analysis.

KEY QUOTATIONS

"Claims are "wholly insubstantial and frivolous" where they have "no plausible foundation."" (at 6)

"They had no plausible foundation and were clearly frivolous." (at 7)

"For "once a federal court determines that it is without subject matter jurisdiction, the court is powerless to continue."" (at 8)

FACTUAL BACKGROUND

Shaikh alleged that professors and others hacked his devices, installed hidden cameras with audio capability in his apartment and car, and provided remote access to various businesses and individuals. He alleged that the defendant media companies accessed those devices and cameras and used government-provided artificial-intelligence mind-reading technology to read his thoughts. He relied on perceived similarities between his

private statements, searches, memories, conduct, and thoughts and content, guests, sponsors, clothing, and reactions appearing in the defendants' entertainment programs.

PROCEDURAL HISTORY

Shaikh, proceeding pro se, sued five media companies alleging violations of the federal Electronic Communications Privacy Act, Florida's Security of Communications Act, and Florida tort claims. The defendants moved to dismiss, arguing that the claims were wholly insubstantial and frivolous and that the complaint failed to state a plausible claim. The magistrate judge recommended dismissal for lack of subject matter jurisdiction, the district court adopted the recommendation, terminated the pending motions, and closed the case. The Eleventh Circuit affirmed.

DISPOSITION

affirmed

CASES CITED

- *Pillow v. Bechtel Construction, Inc.*, 201 F.3d 1348, 1351 (11th Cir. 2000)
- *Patel v. Hamilton Medical Center, Inc.*, 967 F.3d 1190, 1193 (11th Cir. 2020)
- *Lawrence v. Dunbar*, 919 F.2d 1525, 1529 (11th Cir. 1990)
- *Morrison v. Amway Corp.*, 323 F.3d 920, 924 n.5 (11th Cir. 2003)
- *Bell v. Hood*, 327 U.S. 678, 679, 682-83, 66 S. Ct. 773, 774, 776 (1946)
- *Blue Cross & Blue Shield of Alabama v. Sanders*, 138 F.3d 1347, 1350, 1352 (11th Cir. 1998)
- *United States v. Jernigan*, 341 F.3d 1273, 1283 n.8 (11th Cir. 2003)
- *Johnson v. City of Atlanta*, 107 F.4th 1292, 1300 (11th Cir. 2024)
- *University of South Alabama v. American Tobacco Co.*, 168 F.3d 405, 410 (11th Cir. 1999)

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