

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA, SOUTH BEND DIVISION

Nu Nu Yee v. Candance Doe, et al.

Yee · No. 1:26-CV-00013-CCB-ALT · Decided March 24, 2026

SUMMARY

The United States District Court for the Northern District of Indiana denied Nu Nu Yee’s motion to proceed in forma pauperis because the complaint failed to state a claim against any defendant. The court held that Judge Brian Cook was entitled to judicial immunity and that the allegations against Ruiz Installation, Inc. did not adequately plead a Fair Housing Act claim or establish federal-question jurisdiction. The court granted Yee leave to amend and refile her in forma pauperis motion by April 24, 2026.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana, South Bend Division
WRITING FOR THE COURT	Cristal C. Brisco
JURISDICTION	United States District Court for the Northern District of Indiana, South Bend Division
DECIDED	March 24, 2026
DOCKET	1:26-CV-00013-CCB-ALT
DISPOSITION	other
PROCEDURAL POSTURE	Pro se plaintiff filed a civil complaint and moved for leave to proceed in forma pauperis. The district court screened the complaint under 28 U.S.C. § 1915(e)(2)(B), denied leave to proceed in forma pauperis, and granted leave to amend.
STANDARD OF REVIEW	Screening under 28 U.S.C. § 1915(e)(2)(B), accepting well-pleaded factual allegations as true and determining whether the complaint states a plausible claim and establishes federal jurisdiction.
PRECEDENTIAL VALUE	Unpublished district court opinion; limited persuasive value.
PARTIES	Nu Nu Yee v. Candance Doe, et al.

TOPICS

civil procedure

pleadings

subject matter jurisdiction

eviction

civil rights

PRACTICE AREAS

Civil procedure

Federal courts

Fair Housing Act

Landlord-tenant law

Civil rights

QUESTIONS PRESENTED

1. Whether the complaint stated a claim against Judge Brian Cook despite judicial immunity.
2. Whether the complaint adequately pleaded a Fair Housing Act discrimination claim against Ruiz Installation, Inc.
3. Whether the court had federal-question jurisdiction over the Fair Housing Act claim and supplemental jurisdiction over the state-law negligence claim.
4. Whether Yee's motion to proceed in forma pauperis should be granted after screening the complaint.

HOLDINGS

1. Judge Cook was absolutely immune because Yee did not allege that he acted in the absence of jurisdiction or outside his judicial duties.
2. The complaint failed to state a Fair Housing Act discrimination claim because it did not allege the type of discrimination or when the discrimination occurred.
3. The court lacked subject matter jurisdiction over the state-law negligence claim because Yee failed to plead a valid federal Fair Housing Act claim, and without a valid federal claim the court could not exercise supplemental jurisdiction.
4. The motion to proceed in forma pauperis was denied because the complaint failed to state a claim against any defendant.

KEY QUOTATIONS

“Therefore, Yee fails to state a claim against Ruiz Installation, Inc.”

“Because Yee fails to state a claim against any Defendant, her motion to proceed in forma pauperis is DENIED.”

FACTUAL BACKGROUND

The action arose from two Indiana state-court proceedings involving a residential lease: Yee's discrimination and negligence claims against her landlord and the landlord's eviction action against Yee and another individual. Yee alleged that Judge Brian Cook misused the Constitution and treated her unlawfully, and that Ruiz Installation, Inc. discriminated against her and created health hazards. Her requested relief appeared to be removal of the state eviction action to federal court.

PROCEDURAL HISTORY

Yee filed this federal action on January 8, 2026, arising from two Indiana state-court proceedings involving a residential lease and eviction. The court screened the complaint, concluded that it failed to state a claim against the judicial defendant and the landlord, and determined that the pleaded claims did not establish federal-question jurisdiction. The court denied the in forma pauperis motion but allowed Yee to amend and refile the motion by April 24, 2026, warning that noncompliance would result in dismissal.

DISPOSITION

other

CASES CITED

- Adkins v. E.I. DuPont de Nemours & Co., 335 U.S. 331, 339 (1948)
- Hoskins v. Poelstra, 320 F.3d 761, 763 (7th Cir. 2003)
- Jones v. Phipps, 39 F.3d 158, 163 (7th Cir. 1994)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Geinosky v. City of Chicago, 675 F.3d 743, 745 n.1 (7th Cir. 2012)
- Williamson v. Curran, 675 F.3d 432, 436 (7th Cir. 2012)
- Polzin v. Gage, 636 F.3d 834, 838 (7th Cir. 2011)
- Olson v. Champaign County, Illinois, 784 F.3d 1093, 1095 (7th Cir. 2015)
- McCauley v. City of Chicago, 671 F.3d 611, 617 (7th Cir. 2011)
- Swanson v. Citibank, N.A., 614 F.3d 400, 405 (7th Cir. 2010)

OPINION

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA SOUTH BEND DIVISION NU NU YEE, Plaintiff, v. Case No. 1:26-CV-00013-CCB-ALT CANDANCE DOE, et al., Defendant. OPINION AND ORDER Nu Nu Yee filed a pro se complaint (ECF 1) and a motion for leave to proceed in forma pauperis (ECF 2) on January 8, 2026. Pursuant to 28 U.S.C. § 1915(a)(1), the Court “may authorize the commencement [of a civil lawsuit] without pre-payment of fees [if] the person is unable to pay such fees....” A person is unable to pay the filing fee if “because of [her] poverty [doing so would result in the inability] to provide [her]self and dependents with the necessities of life.” Adkins v. E.I.

DuPont de Nemours & Co., 335 U.S. 331, 339 (1948) (quotation marks omitted). When deciding whether to grant in forma pauperis status to a plaintiff, the Court must first determine whether her complaint is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief against an immune defendant. 28 U.S.C. § 1915(e)(2)(B).

The Court has “ample authority to dismiss frivolous or transparently defective suits spontaneously.” Hoskins v. Poelstra, 320 F.3d 761, 763 (7th Cir. 2003). “Although [pro se]

litigants... benefit from various procedural protections,” including liberal construction of pleadings, they “are not entitled to [exemption] from the rules of procedure....” *Jones v. Phipps*, 39 F.3d 158, 163 (7th Cir.

1994). Fed. R. Civ. P. 8(a)(2) requires that complaints contain “a short and plain statement of the claim showing that the pleader is entitled to relief.” The statement must contain enough factual matter, accepted as true, to state a plausible claim, not a speculative one. *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009); *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007).

In addition, the complaint must contain a short and plain statement of the grounds for the Court’s jurisdiction. See Fed. R. Civ. P. 8(a)(1). This action arises from two state-court proceedings involving a residential lease: (1) Yee’s discrimination and negligence claims against her landlord in *Nu Nu Yee v. Candace Doe*, Case Number 02D03-2512-SC-012649 before Allen Superior Court 3 and (2) Defendant Ruiz Installation, Inc.’s¹ eviction action against her in *Ruiz Installation, Inc. v. Nu Nu Yee, Michael Harber*, Case Number 02D01-2511-EV-004492 before Allen Superior Court 1.

(ECF 1-1 at 14, 18). Yee’s complaint includes 30 pages of supporting documents and exhibits. (ECF 1-1). The Court considers these attachments to the complaint “part of the pleading for all purposes.” Fed. R. Civ. P. 10(c); see also *Geinosky v. City of Chicago*, 675 F.3d 743, 745 n.1 (7th Cir. 2012); *Williamson v. Curran*, 675 F.3d 432, 436 (7th Cir. 2013). Among those documents are Yee’s lease, a lease termination letter sent to Yee, images of the property, and related filings from both state actions in the Allen Superior Court.

(ECF 1-1). ¹ The correct spelling of the defendant’s name appears to be Ruiz Installation, Inc. (ECF 1-1 at 13). Yee has sued several defendants and appears to assert discrimination and civil rights claims against Allen Superior Court Judge Brian Cook and her landlord, Ruiz Installation, Inc. (ECF 1 at 1). Yee does not mention Defendants Christopher Bandemer or Konrad M. L. Urberg beyond the complaint’s caption and she makes no allegations against Candace Ruiz in her individual capacity.² Therefore, the Court will confine its analysis to Yee’s claims against Defendants Ruiz Installation, Inc., and Judge Cook.

Her only request for relief appears to be the removal of the eviction action from the Allen Superior Court to federal court. (ECF 1 at 3). Yee alleges that Judge Cook “misuse[d]... the Constitution[’s] laws of the United States of America” and has “treated [her] unjustifiably and unlawfully.” (ECF 1 at 2). But “[a] judge has absolute immunity for any judicial actions unless the judge acted in absence of all jurisdiction.” *Polzin v. Gage*, 636 F.3d 834, 838 (7th Cir.

2011). Yee has not alleged that Judge Cook acted in the absence of jurisdiction or outside court appointed duties. Without such allegations, Judge Cook is immune from suit, and claims cannot be

stated against immune defendants. See *Olson v. Champaign Cnty., Ill.*, 784 F.3d 1093, 1095 (7th Cir. 2015).

Thus, Yee fails to state a claim against Judge Cook. Yee further alleges that her landlord, Defendant Ruiz Installation, Inc., “badly discriminated [against her]” and is “creating health hazards to the neighborhood.” (ECF 1 at 3). Yee appears to assert a Fair Housing Act claim under 42 U.S.C. § 3604(a) for discriminatory eviction and a state-law negligence claim.

To state a claim under the Fair 2 The Court notes that the correct spelling of the defendant’s name is Candace Ruiz. (ECF 1-1 at 13). Housing Act for discrimination, a plaintiff must plead “factual allegations identifying (1) who discriminated against her; (2) the type of discrimination that occurred; and (3) when the discrimination took place.” *McCauley v. City of Chicago*, 671 F.3d 611, 617 (7th Cir.

2011) (citing *Swanson v. Citibank, N.A.*, 614 F.3d 400, 405 (7th Cir. 2010)). Yee does not allege the type of discrimination that occurred or when it occurred. Without an alleged violation of the Fair Housing Act, there is no federal question in this case, and this Court lacks subject matter jurisdiction over this claim. Furthermore, without a valid federal claim, the Court cannot exercise supplemental jurisdiction over Yee’s remaining state-law negligence claim.

See 28 U.S.C. § 1367(a). Therefore, Yee fails to state a claim against Ruiz Installation, Inc. Because Yee fails to state a claim against any Defendant, her motion to proceed in forma pauperis is DENIED. The Court affords Yee leave to amend her complaint to become compliant with the federal rules and refile a motion to proceed in forma pauperis by April 24, 2026.

The Court also CAUTIONS Yee that failure to comply with this deadline, plead federal jurisdiction, pay the filing fee or file for in forma pauperis status, or file a rule-compliant complaint will result in the dismissal of her case without further notice because her current complaint does not state a claim. SO ORDERED on March 24, 2026. /s/Cristal C. Brisco
CRISTAL C. BRISCO, JUDGE UNITED STATES DISTRICT COURT