

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Glenn Stephens v. President Donald Trump

Stephens · No. 4:25-cv-02356 · Decided December 30, 2025

SUMMARY

A magistrate judge recommends that Glenn Stephens’s pro se complaint against President Donald Trump be dismissed without prejudice for lack of subject-matter jurisdiction. The complaint sought a writ of mandamus directing the President to order drone or missile attacks against two individuals, but the court found no alleged injury supporting Article III standing and deemed the claims wholly insubstantial and frivolous. The recommendation also concludes that amendment would be futile.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Leo A. Latella
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	December 30, 2025
DOCKET	4:25-cv-02356
DISPOSITION	other
PROCEDURAL POSTURE	A pro se plaintiff proceeding in forma pauperis filed a complaint seeking a writ of mandamus directing the President to conduct drone or missile attacks on two individuals. The magistrate judge issued a Report and Recommendation recommending preliminary dismissal without prejudice for lack of subject matter jurisdiction.
STANDARD OF REVIEW	On preliminary in forma pauperis screening, the court applied the Rule 12(b)(6) pleading standard to whether the complaint stated a plausible claim and considered subject matter jurisdiction under Rule 12(b)(1).
PRECEDENTIAL VALUE	Nonprecedential magistrate judge Report and Recommendation

TOPICS

- subject matter jurisdiction
- standing
- civil procedure
- motions to dismiss
- constitutional law

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the complaint should be dismissed during in forma pauperis screening under 28 U.S.C. § 1915(e)(2)(B).
2. Whether the plaintiff had Article III standing and presented an actual case or controversy sufficient to establish subject matter jurisdiction.
3. Whether the complaint's allegedly wholly insubstantial and patently frivolous claims independently deprived the court of subject matter jurisdiction under the substantiality doctrine.
4. Whether the plaintiff should be granted leave to amend.

HOLDINGS

1. The complaint failed to establish Article III standing because it alleged no concrete, particularized, actual, or imminent injury to the plaintiff.
2. The complaint should be dismissed for lack of subject matter jurisdiction because its claims were wholly insubstantial and patently frivolous.
3. Leave to amend should be denied as futile.

KEY QUOTATIONS

“sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.” (at 3)

“No principle is more fundamental to the judiciary’s proper role in our system of government than the constitutional limitation of federal-court jurisdiction to actual cases or controversies.” (at 4)

“the irreducible constitutional minimum of standing contains three elements: injury in fact, causation, and redressability” (at 4)

“are so attenuated and unsubstantial as to be absolutely devoid of merit.” (at 6)

FACTUAL BACKGROUND

The plaintiff alleged that the President had authority and discretion to act against alleged narco-terrorists and requested a writ of mandamus directing drone or missile attacks on the District Attorney of Lycoming County and a former Inspector General of the Department of Defense. The complaint did not allege that the plaintiff suffered any concrete, particularized, or actual or imminent injury. The court characterized the claims as wholly insubstantial and patently frivolous.

PROCEDURAL HISTORY

On December 9, 2025, Glenn Stephens filed the complaint and an application to proceed in forma pauperis. The application was granted, and the court screened the complaint under 28 U.S.C. § 1915(e)(2)(B). The magistrate judge recommended dismissal without prejudice for lack of subject matter jurisdiction and recommended

denying leave to amend as futile. The notice states that objections may be filed under Federal Rule of Civil Procedure 72.3.

DISPOSITION

other

CASES CITED

- *Tourscher v. McCollough*, 184 F.3d 236, 240 (3d Cir. 1999)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Spokeo, Inc. v. Robins*, 578 U.S. 330, 337-39, 136 S. Ct. 1540, 1547-48 (2016), as revised (May 24, 2016)
- *Raines v. Byrd*, 521 U.S. 811, 818, 117 S. Ct. 2312, 138 L. Ed. 2d 849 (1997)
- *Diamond Alternative Energy, LLC v. Environmental Protection Agency*, 606 U.S. 100, 111, 145 S. Ct. 2121, 2133 (2025)
- *1789 Found., Inc. v. Schmidt*, 781 F. Supp. 3d 282, 310 (M.D. Pa. 2025)
- *Germany v. Power 105.1 Radio*, 790 F. App'x 442, 443 (3d Cir. 2019)
- *Hagans v. Lavine*, 415 U.S. 528, 536-37, 94 S. Ct. 1372 (1974)
- *Clay v. Department of Defense*, No. CV 25-3726, 2025 WL 3282744, at *1 (D.D.C. Nov. 24, 2025)
- *James v. Trump*, No. CV 25-01789, 2025 WL 1726031, at *1 (D.D.C. June 20, 2025), *aff'd*, No. 25-5237, 2025 WL 3076752 (D.C. Cir. Nov. 3, 2025)
- *Montanez v. Price*, 154 F.4th 127, 153 (3d Cir. 2025)
- *Long v. Wilson*, 393 F.3d 390, 400 (3d Cir. 2004)
- *Phillips v. County of Allegheny*, 515 F.3d 224, 245 (3d Cir. 2008)
- *Garrett v. Wexford Health*, 938 F.3d 69, 92 (3d Cir. 2019)
- *Roman v. Jeffes*, 904 F.2d 192, 196 n.8 (3d Cir. 1990)
- *Mohn v. United States*, No. 23-1023, 2023 WL 4311609, at *2 (3d Cir. July 3, 2023)
- *N.J. Physicians, Inc. v. President of U.S.*, 653 F.3d 234, 241 n.8 (3d Cir. 2011)