

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Ashley Harris v. Peace Health Riverbend

Harris · No. 6:25-cv-01455-AA · Decided January 29, 2026

SUMMARY

The United States District Court for the District of Oregon granted Ashley Harris’s application to proceed in forma pauperis but dismissed her complaint without service because it failed to establish subject-matter jurisdiction and did not include a demand for relief. The court granted leave to amend within 30 days, denied appointment of pro bono counsel, and denied a motion to seal. The court identified the apparent claims as state-law battery and medical malpractice allegations.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Ann Aiken
JURISDICTION	United States District Court for the District of Oregon
DECIDED	January 29, 2026
DOCKET	6:25-cv-01455-AA
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff sought leave to proceed in forma pauperis and filed a complaint, a motion for appointment of pro bono counsel, and a motion to seal. The district court granted in forma pauperis status, dismissed the complaint for lack of subject matter jurisdiction with leave to amend, denied appointment of counsel, and denied the motion to seal.
STANDARD OF REVIEW	The court screened the action under 28 U.S.C. § 1915(e)(2)(B) and assessed subject matter jurisdiction under Federal Rules of Civil Procedure 8(a) and 12(h)(3). It construed the self-represented pleading liberally and reviewed the sealing motion under the strong presumption of public access to court records.
PRECEDENTIAL VALUE	Unknown; district court opinion and no precedential status stated in the opinion.
PARTIES	Ashley Harris v. Peace Health Riverbend

TOPICS

subject matter jurisdiction

pleadings

motions to dismiss

medical malpractice

battery

PRACTICE AREAS

civil procedure

health law

torts

QUESTIONS PRESENTED

1. Whether the complaint established federal-question or diversity subject matter jurisdiction.
2. Whether the complaint satisfied Federal Rule of Civil Procedure 8(a), including the requirement to state the grounds for jurisdiction and a demand for relief.
3. Whether Harris was entitled to appointment of pro bono counsel under 28 U.S.C. § 1915.
4. Whether Harris established compelling reasons sufficient to overcome the presumption of public access and seal the motion.

HOLDINGS

1. The complaint did not establish federal-question jurisdiction because the Federal Rules of Civil Procedure and local procedural rules do not create a substantive federal cause of action or otherwise provide a basis for federal-question jurisdiction, and the factual allegations sounded in state-law tort claims.
2. The complaint did not establish diversity jurisdiction because it did not allege that the parties were citizens of different states or identify an amount in controversy exceeding \$75,000.
3. The complaint was dismissed with leave to amend because the jurisdictional and pleading deficiencies could potentially be cured by amendment.
4. The motion for appointment of pro bono counsel was denied because Harris did not demonstrate exceptional circumstances warranting the court's discretionary request for volunteer counsel.
5. The motion to seal was denied because it supplied no reasoning or factual basis sufficient to overcome the strong presumption of public access to court records.

KEY QUOTATIONS

“The Federal Rules of Civil Procedure and the Local Rules of the District of Oregon are procedural rules, not statutes, and cannot be the substantive basis for federal question jurisdiction.”

“Because of the lack of subject matter jurisdiction, Plaintiff’s complaint is DISMISSED with leave to amend.”

“There is no constitutional right to counsel in a civil case.”

FACTUAL BACKGROUND

Harris alleged that medication caused her to black out and that Peace Health injected her four times in the rear to calm her, after which she awoke in a foreign location with no memory. The court construed these allegations as potentially asserting battery based on lack of consent and medical malpractice based on improper dosage. The complaint cited Federal Rule of Civil Procedure 7(a) and District of Oregon Local Rules 5-13 and 10-3 as the

basis for federal-question jurisdiction, but did not identify a federal statute or constitutional provision, plead diversity of citizenship, or state a demand for relief.

PROCEDURAL HISTORY

Ashley Harris filed this action in the District of Oregon along with an in forma pauperis petition, complaint, motion to seal, and motion for appointment of counsel. Before service on the defendant, the court reviewed the pleading and concluded that it did not establish federal-question or diversity jurisdiction and did not include a demand for relief. The court dismissed the complaint with leave to amend within thirty days, without service, and denied the other motions.

DISPOSITION

dismissed

CASES CITED

- Haines v. Kerner, 404 U.S. 519, 520-21 (1972)
- Karim-Panahi v. Los Angeles Police Dep't, 839 F.2d 621, 623 (9th Cir. 1988)
- Owen Equip. & Erection Co. v. Kroger, 437 U.S. 365, 370, 374 (U.S. 1978)
- Foltz v. State Farm Mut. Auto. Ins. Co., 331 F.3d 1122, 1135 (9th Cir. 2003)
- United States v. 30.64 Acres of Land, 795 F.2d 796, 801 (9th Cir. 1986)
- Wood v. Housewright, 900 F.2d 1332, 1335 (9th Cir. 1990)