

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

Melissa Anne Arcolio v. Utah Administrative Office of the Courts et al.

Case No. 2:25-cv-1156 HCN DBP · No. 2:25-cv-1156 HCN DBP · Decided January 22, 2026

SUMMARY

The United States District Court for the District of Utah denied Melissa Anne Arcolio’s motion for alternative service, temporarily granted her motion to proceed in forma pauperis, and ordered her to file an amended complaint. The court determined that the complaint failed to satisfy Federal Rule of Civil Procedure 8 because it offered insufficient factual support and did not provide fair notice of the claims against the defendants. The court ordered the amended complaint to be filed by February 13, 2026 and advised that failure to do so would result in dismissal.

CASE DETAILS

COURT	United States District Court for the District of Utah
WRITING FOR THE COURT	Dustin B. Pead
JURISDICTION	United States District Court for the District of Utah
DECIDED	January 22, 2026
DOCKET	2:25-cv-1156 HCN DBP
DISPOSITION	other
PROCEDURAL POSTURE	Pro se plaintiff moved to proceed in forma pauperis and requested alternative service by electronic means. The magistrate judge temporarily granted in forma pauperis status, denied alternative service, and ordered plaintiff to file an amended complaint for screening.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2), the court must dismiss an in forma pauperis action that is frivolous or malicious, fails to state a claim, or seeks monetary relief from an immune defendant. Pleadings are evaluated under Federal Rule of Civil Procedure 8's short-and-plain-statement and fair-notice requirements.
PRECEDENTIAL VALUE	unpublished district court memorandum decision and order

TOPICS

pleadings

service of process

civil procedure

ada / disability

PRACTICE AREAS

civil procedure

civil rights

disability discrimination

QUESTIONS PRESENTED

1. Whether the complaint satisfied Federal Rule of Civil Procedure 8 by providing sufficient factual allegations, identifying the claims against each defendant, and giving fair notice of the grounds for relief.
2. Whether plaintiff established a basis for alternative service by electronic means because of her alleged disability and medical condition.
3. Whether plaintiff should be permitted to proceed in forma pauperis subject to screening and amendment of the complaint.

HOLDINGS

1. The complaint failed to satisfy Rule 8 because it offered labels and conclusions without sufficient factual allegations identifying the claims asserted against each defendant or the grounds supporting those claims.
2. Alternative service was not warranted because a plaintiff proceeding in forma pauperis is not responsible for service; the court and its officers are required to issue and serve process.
3. The motion to proceed in forma pauperis was temporarily granted, subject to screening of an amended complaint under 28 U.S.C. § 1915(e) and Local Civil Rule DUCivR 3-2(b).

KEY QUOTATIONS

“The court finds Plaintiff’s Complaint fails to meet the required pleading standards and offers nothing more than labels and conclusions.” (Discussion)

“In short, Plaintiff’s Complaint is severely deficient.” (Discussion)

“Plaintiff is ORDERED to file an Amended Complaint by February 13, 2026.” (Conclusion ¶ 3)

FACTUAL BACKGROUND

Plaintiff alleged that state actors, municipal entities, law-enforcement agencies, judicial entities, and private actors engaged in coordinated retaliation and other conduct that caused homelessness, medical destabilization, denial of disability accommodations, and interference with access to the courts. She alleged that she suffers from functional neurological disorder with seizure-like episodes. The complaint listed alleged ADA accommodation denials, retaliatory eviction, manipulation of court filings, intimidation through welfare checks, and related conduct, but did not provide sufficient factual detail connecting particular defendants to specific legal violations.

PROCEDURAL HISTORY

Melissa Anne Arcolio filed a pro se federal civil-rights complaint against the Utah Administrative Office of the Courts and other defendants. The matter was referred to Magistrate Judge Dustin B. Pead under 28 U.S.C. § 636(b)(1)(A). The court found the complaint deficient under Federal Rule of Civil Procedure 8, temporarily granted leave to proceed in forma pauperis, denied alternative service, and ordered an amended complaint by February 13, 2026.

DISPOSITION

other

CASES CITED

- Nasious v. Two Unknown B.I.C.E. Agents, 492 F.3d 1158, 1163 (10th Cir. 2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 557, 129 S. Ct. 1937, 173 L. Ed. 2d 868 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 662, 127 S. Ct. 1955, 167 L. Ed. 2d 929 (2007)
- Mann v. Boatright, 477 F.3d 1140, 1148 (10th Cir. 2007)
- Olsen v. Mapes, 333 F.3d 1199, 1204 (10th Cir. 2003)