

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
GEORGIA, STATESBORO DIVISION

Rev. Jason Timothy Bolyard v. In re: Declaratory Judgment on
Status

Bolyard · No. CV 625-067 · Decided November 26, 2025

SUMMARY

A Magistrate Judge’s Report and Recommendation in the Southern District of Georgia recommends dismissal of Rev. Jason Timothy Bolyard’s pro se, in forma pauperis complaint seeking declaratory judgments concerning his ministerial status, residence, business, and presidential candidacy. The court concludes that the plaintiff lacks Article III standing and that no actual controversy exists because he named no defendants and alleged no substantial likelihood of future injury. Any potential state-law claims are recommended for dismissal without prejudice, and the civil action is recommended for closure.

CASE DETAILS

COURT	United States District Court for the Southern District of Georgia, Statesboro Division
JURISDICTION	United States District Court for the Southern District of Georgia, Statesboro Division
DECIDED	November 26, 2025
DOCKET	CV 625-067
DISPOSITION	other
PROCEDURAL POSTURE	The pro se plaintiff filed an in forma pauperis complaint seeking declaratory relief. A magistrate judge screened the complaint under 28 U.S.C. § 1915(e)(2)(B) and issued a Report and Recommendation that the action be dismissed for lack of subject-matter jurisdiction and that any potential state-law claims be dismissed without prejudice.
STANDARD OF REVIEW	On in forma pauperis screening, the court may dismiss a complaint that is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant under 28 U.S.C. § 1915(e)(2)(B). Failure to state a claim under § 1915(e)(2)(B)(ii) is evaluated under the Rule 12(b)(6) plausibility standard. Subject-matter jurisdiction must be considered whenever doubt arises and must be dismissed whenever

	absent. Pro se pleadings are liberally construed but the court may not rewrite the complaint.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Rev. Jason Timothy Bolyard v. In re: Declaratory Judgment on Status

TOPICS

subject matter jurisdiction standing declaratory judgment civil procedure

PRACTICE AREAS

civil procedure constitutional law federal jurisdiction declaratory judgments election law

QUESTIONS PRESENTED

1. Whether Plaintiff's complaint presented an Article III case or controversy sufficient to support declaratory relief.
2. Whether Plaintiff established standing by alleging an injury in fact, traceability, and redressability.
3. Whether any potential state-law claims should be dismissed without prejudice after the federal claims were found jurisdictionally deficient.

HOLDINGS

1. A plaintiff seeking declaratory relief must allege an actual controversy involving adverse parties and a substantial continuing controversy; because Plaintiff named no defendants and sought declarations untethered to an adverse dispute, the complaint did not present an Article III case or controversy.
2. Plaintiff lacked standing because he failed to allege a concrete, particularized, actual or imminent injury, a substantial likelihood of future injury, traceability to a defendant, or redressability.
3. Any potential state-law claims should be dismissed without prejudice after the court determined that no federal subject-matter jurisdiction existed.

KEY QUOTATIONS

“In the absence of standing, a court is not free to opine in an advisory capacity about the merits of a plaintiff's claims.” (Section I.B.2)

“Here, Plaintiff's complaint is wholly devoid of an actual controversy, and thus his requests for declaratory relief must be dismissed.” (Section I.B.2)

FACTUAL BACKGROUND

Plaintiff, a Georgia resident and self-described minister, alleged that his residence simultaneously functioned as a church, religious schools, a campaign headquarters for his 2028 presidential campaign, a business headquarters, and his personal residence. He sought declarations recognizing those statuses and uses, as well as his status as a duly recognized 2028 presidential candidate. He named no defendants and sought no injunctive or

monetary relief. Exhibits referred generally to past and ongoing attacks, alleged crimes, defamation, and violations of religious rights, but the complaint did not provide concrete facts showing a substantial likelihood of future injury.

PROCEDURAL HISTORY

Plaintiff filed a complaint seeking declarations concerning his ministerial status, the uses of his residence, and his status as a 2028 presidential candidate. Because he proceeded in forma pauperis, the complaint was screened. The magistrate judge concluded that Plaintiff had not alleged an Article III case or controversy or the elements of standing, recommended dismissal of the federal claims for lack of subject-matter jurisdiction, recommended dismissal without prejudice of any potential state-law claims, and recommended closing the case.

DISPOSITION

other

CASES CITED

- Phillips v. Mashburn, 746 F.2d 782, 785 (11th Cir. 1984)
- Neitzke v. Williams, 490 U.S. 319, 325 (1989)
- Wilkerson v. H & S, Inc., 366 F. App'x 49, 51 (11th Cir. 2010)
- Mitchell v. Farcass, 112 F.3d 1483, 1490 (11th Cir. 1997)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 557, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Snow v. DirecTV, Inc., 450 F.3d 1314, 1320 (11th Cir. 2006)
- Smith v. GTE Corp., 236 F.3d 1292, 1299 (11th Cir. 2001)
- Goodman ex rel. Goodman v. Sipos, 259 F.3d 1327, 1331 n.6 (11th Cir. 2001)
- Bochesse v. Town of Ponce Inlet, 405 F.3d 964, 974 (11th Cir. 2005)
- Austin & Laurato, P.A. v. United States, 539 F. App'x 957, 960 (11th Cir. 2013)
- Swanson v. Raffensperger, No. CV 122-152, 2023 WL 3485268, at *1-*2 (S.D. Ga. May 16, 2023)
- Swanson v. Secretary of State, No. 23-11738, 2024 WL 80577 (11th Cir. Jan. 8, 2024)
- A&M Gerber Chiropractic LLC v. GEICO General Insurance Co., 925 F.3d 1205, 1210-11 (11th Cir. 2019)
- Emory v. Peeler, 756 F.2d 1547, 1551-52 (11th Cir. 1985)
- Malowney v. Federal Collection Deposit Group, 193 F.3d 1342, 1346, 1348 (11th Cir. 1999)
- Nolin v. Isbell, 207 F.3d 1253, 1258 (11th Cir. 2000)
- Republic of Panama v. BCCI Holdings (Luxembourg) S.A., 119 F.3d 935, 951 n.26 (11th Cir. 1997)
- Rice v. Branigar Organization, Inc., 922 F.2d 788, 792 (11th Cir. 1991)
- Vibe Micro, Inc. v. Shabanets, 878 F.3d 1291, 1296 (11th Cir. 2018)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/united-states-district-court-for-the-southern-district-of-georgia-statesboro-division-united-states/2025/rev-jason-timothy-bolyard-v-in-re-declaratory-judgment-on-75anqlf>