

**UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OHIO, EASTERN DIVISION**

Bishop v. Washam

No. 4:26-cv-616 · No. No. 4:26-cv-616 · Decided March 25, 2026

OPINION

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO EASTERN DIVISION JAMES K. BISHOP,) CASE NO. 4:26-cv-616) Plaintiff,) JUDGE CHARLES E. FLEMING) v.)) SCOTT A. WASHAM,) MEMORANDUM OPINION AND) ORDER Defendant.)) I. INTRODUCTION Pro se Plaintiff James K. Bishop has filed a civil complaint against Defendant Scott A. Washam, asserting two claims for denial of due process.

(ECF No. 1). With his complaint, Plaintiff filed a motion to proceed in forma pauperis (“IFP Motion”). (ECF No. 2). The IFP Motion is GRANTED. For the reasons discussed below, Plaintiff’s complaint is DISMISSED. II. STANDARD OF REVIEW Plaintiff is proceeding in forma pauperis, so his complaint is subject to initial screening under 28 U.S.C. § 1915(e)(2)(B).

Under that statute, federal district courts are expressly required to screen all in forma pauperis complaints filed in federal court, and to dismiss before service any such complaint that the court determines is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary damages from a defendant who is immune from such relief.

See *Hill v. Lappin*, 630 F.3d 468, 470–71 (6th Cir. 2010) (holding that the dismissal standard articulated in *Ashcroft v. Iqbal*, 556 U.S. 662 (2009) and *Bell Atl. Corp. v. Twombly*, 550 U.S. 544 (2007) for determining a motion to dismiss under Fed. R. Civ. P. 12 (b)(6) governs dismissals for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)). III. DISCUSSION The Court finds that Plaintiff’s complaint warrants dismissal as frivolous pursuant to § 1915(e)(2)(B) because it is duplicative.

The complaint filed in this case is identical (word for word with the same parties and causes of action) to a complaint previously filed by Plaintiff in another case in this District, which is still pending. Compare Compl. Bishop v. Washam, No. 4:26- cv-1 (N.D. Ohio Jan. 2, 2026) (Pearson, J.), with (ECF No. 1).

Under Sixth Circuit precedent, district courts may dismiss duplicative actions as frivolous under § 1915(e). See, e.g., *Belser v. Washington*, No. 16-2634, 2017 WL 5664908, *1–2 (6th Cir. Sept. 13, 2017) (citing cases and affirming district court’s dismissal of duplicative case as frivolous in accordance with § 1915(e)(2)(B)); *Peoples v. Reno*, No. 00-1086, 2000 U.S. App.

LEXIS 24779, 2000 WL 1477502, at *1 (6th Cir. Sept. 26, 2000); see also *Cummings v. Mason*, No. 1:11-cv-649, 2011 U.S. Dist. LEXIS 75474, 2011 WL 2745937, at *1 (W.D. Mich. July 13, 2011) (holding that a “complaint that merely repeats pending or previously litigated claims may be dismissed under 28 U.S.C. § 1915(e)(2)(i) as frivolous or malicious”); *Nichols v. Kaure*, No. 23-12286, 2024 LX 241711, at *3–5 (E.D.

Mich. Jan. 9, 2024) (collecting cases). Accordingly, Plaintiff’s duplicative complaint will be sua sponte dismissed as frivolous. IV. CONCLUSION For the foregoing reasons, Plaintiff’s complaint is DISMISSED pursuant to 28 U.S.C. §1915(e).

The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith. IT IS SO ORDERED. Date: March 25, 2026 Vad Mintivg
CHARLES E.FLEMING —TM UNITED STATES DISTRICT JUDGE