

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAI‘I

Todd Alan Duell v. Honolulu Police Department, Does 1-7

Duell · No. 25-cv-00518-DKW-RT · Decided February 13, 2026

SUMMARY

The United States District Court for the District of Hawai‘i grants the Honolulu Police Department’s motion to dismiss Todd Alan Duell’s complaint, with leave to amend. The court holds that the complaint fails to satisfy Federal Rule of Civil Procedure 8 because it does not connect factual allegations to specific claims or defendants, and it dismisses purported federal and state criminal-law claims without leave to amend. The court also strikes or denies several unauthorized or deficient filings and sets a deadline of February 27, 2026, for an amended complaint.

CASE DETAILS

COURT	United States District Court for the District of Hawai‘i
WRITING FOR THE COURT	Derrick K. Watson
JURISDICTION	United States District Court for the District of Hawai‘i
DECIDED	February 13, 2026
DOCKET	25-cv-00518-DKW-RT
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff proceeding pro se brought an action under 42 U.S.C. § 1983 and the Fourth Amendment against the Honolulu Police Department and unidentified officers. The court considered the defendant's motion to dismiss under Federal Rules of Civil Procedure 8 and 12(b)(6), a recommendation to strike a proposed amended complaint, and several additional filings by plaintiff.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts factual allegations as true and construes them in the light most favorable to the plaintiff, but does not accept legal conclusions or conclusory assertions. A complaint must contain sufficient factual matter to state a facially plausible claim and must satisfy Rule 8's requirement of a short and plain statement.
PRECEDENTIAL VALUE	Unknown; federal district court order
PARTIES	Todd Alan Duell v. Honolulu Police Department, Does 1-7

TOPICS

motions to dismiss

pleadings

civil procedure

section 1983

fourth amendment

PRACTICE AREAS

civil procedure

civil rights

constitutional law

QUESTIONS PRESENTED

1. Whether the operative Complaint satisfied Federal Rule of Civil Procedure 8(a)'s requirement of a short and plain statement of the claims.
2. Whether the Complaint stated a claim upon which relief could be granted under Federal Rule of Civil Procedure 12(b)(6).
3. Whether Duell should be granted leave to amend the civil claims.
4. Whether purported claims based on federal or state criminal laws could be amended by a private plaintiff.
5. Whether the proposed amended complaint and various unauthorized supplemental filings should be stricken.

HOLDINGS

1. The Complaint failed to comply with Rule 8(a) because it did not provide a short and plain statement of any claim and did not connect factual allegations to specific legal claims, defendants, or injuries.
2. Dismissal under Rule 12(b)(6) was appropriate because, even liberally construed, the Complaint did not state a plausible claim for relief.
3. Leave to amend was warranted because the Complaint's deficiencies might be cured by a more definite and properly organized pleading.
4. Claims based on purported violations of federal or state criminal law were dismissed without leave to amend because a private citizen lacks a judicially cognizable interest in the prosecution or nonprosecution of another and cannot independently bring criminal charges.
5. Entry of default was properly denied because HPD had appeared and moved to dismiss the Complaint.

KEY QUOTATIONS

"To survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" (7)

"Specifically, for each individual claim, Duell must write short, plain statements describing: (1) the constitutional or statutory right he believes was violated; (2) the name(s) of the defendant or defendants against whom the claim is asserted; (3) exactly what each defendant did or failed to do and when; (4) how the action or inaction of that defendant is connected to the violation of the legal right; and (5) what specific injury he suffered because of the defendant's or defendants' conduct." (10)

"Finally, although Duell is permitted leave to amend to the extent set forth above, such leave does not extend to any claim brought for a purported violation of federal or State criminal law." (11)

FACTUAL BACKGROUND

Duell alleged that five unidentified Honolulu police officers entered his home in Waialua, O‘ahu without consent or a warrant, arrested him, and transported him to a police station. He alleged that two unidentified investigators questioned him there for approximately three hours, after which he was released and no charges were filed. The Complaint primarily presented a chart labeled a “Ledger of Damages,” listing alleged Fourth Amendment, § 1983, criminal-law, and possibly state-law violations without connecting specific factual allegations to particular claims or defendants.

PROCEDURAL HISTORY

Duell filed the original Complaint on December 8, 2025. A magistrate judge recommended striking a proposed amended complaint, and the district court adopted that recommendation and directed the Clerk to strike the filing. HPD moved to dismiss the operative Complaint; after briefing, Duell submitted additional unauthorized filings, which the court struck or denied. The court granted the motion to dismiss with leave to amend, dismissed purported federal and state criminal-law claims without leave to amend, and allowed Duell until February 27, 2026 to file an amended complaint.

DISPOSITION

other

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Interpipe Contracting, Inc. v. Becerra, 898 F.3d 879, 886-887 (9th Cir. 2018)
- Eldridge v. Block, 832 F.2d 1132, 1137 (9th Cir. 1987)
- Pliler v. Ford, 542 U.S. 225, 231 (2004)
- Ivey v. Bd. of Regents of Univ. of Alaska, 673 F.2d 266, 268 (9th Cir. 1982)
- King v. Atiyeh, 814 F.2d 565, 567 (9th Cir. 1987)
- Lacey v. Maricopa Cty., 693 F.3d 896, 925, 928 (9th Cir. 2012) (en banc)
- Lucas v. Dep't of Corr., 66 F.3d 245, 248 (9th Cir. 1995)
- Abagninin v. AMVAC Chem. Corp., 545 F.3d 733, 742 (9th Cir. 2008)
- AmerisourceBergen Corp. v. Dialysist West, Inc., 465 F.3d 946, 951 (9th Cir. 2006)
- Linda R.S. v. Richard D., 410 U.S. 614, 619 (1973)