

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Jude David Smith v. Shoreline Apartments, et al.

Smith v. Shoreline Apartments · No. 25-cv-10889-WHO · Decided January 22, 2026

SUMMARY

The United States District Court for the Northern District of California granted Jude David Smith’s application to proceed in forma pauperis. The court dismissed his complaint for failure to state a claim under 28 U.S.C. § 1915(e), with leave to amend within 30 days, and directed him to provide clearer claims, supporting facts, and jurisdictional allegations.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	William H. Orrick
JURISDICTION	United States District Court for the Northern District of California
DECIDED	January 22, 2026
DOCKET	25-cv-10889-WHO
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se plaintiff moved to proceed in forma pauperis and filed a complaint alleging that Shoreline Apartments denied him housing because of homelessness and mental-health disabilities. The district court granted in forma pauperis status, screened the complaint sua sponte, dismissed it for failure to state a claim, and granted leave to amend.
STANDARD OF REVIEW	Sua sponte screening 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. The complaint must also satisfy Federal Rule of Civil Procedure 8.
PRECEDENTIAL VALUE	district court order; precedential status not stated
PARTIES	Jude David Smith v. Shoreline Apartments, et al.

TOPICS

- motions to dismiss
- pleadings
- civil procedure
- subject matter jurisdiction
- ada / disability

PRACTICE AREAS

civil procedure

civil rights

housing discrimination

disability discrimination

QUESTIONS PRESENTED

1. Whether Smith qualified to proceed in forma pauperis based on his reported income, expenses, assets, and debts.
2. Whether the complaint stated a claim for relief under the pleading requirements of Federal Rule of Civil Procedure 8 and survived screening under 28 U.S.C. § 1915(e)(2).
3. Whether Smith should be given leave to amend after dismissal of the deficient complaint.

HOLDINGS

1. Smith qualified to proceed in forma pauperis because the court was satisfied from his reported income, expenses, assets, and debts that he could not pay the filing fee.
2. The complaint failed to state a claim because it did not provide a short and plain statement showing that Smith was entitled to relief and did not allege facts establishing the elements of any claim against Shoreline Apartments.
3. The complaint was dismissed with leave to amend, and Smith was directed to file any amended complaint within 30 days.

KEY QUOTATIONS

“However, Smith has failed to state a claim on which relief may be granted, requiring dismissal of the complaint under 28 U.S.C. § 1915(e).” (at 1)

“A complaint filed by a plaintiff proceeding in forma pauperis is subject to a sua sponte review by the court.” (at 1)

“The complaint does not articulate a short and plain statement showing that Smith is entitled to the relief that he seeks.” (at 2)

“Smith’s complaint is therefore DISMISSED with leave to amend. Any amended complaint is due within 30 days of the issuance of this Order.” (at 3)

FACTUAL BACKGROUND

Smith alleged that he paid \$40 to apply for a Section 8 low-income apartment at Shoreline Apartments in Alameda, California. He alleged that he had an “A” credit score and no criminal record but was denied residence because of his homelessness status and mental-health disabilities. He sought one million dollars in damages and alleged no additional facts.

PROCEDURAL HISTORY

Smith filed a complaint and an application to proceed in forma pauperis. The district court found that he could not pay the filing fee, granted the application, and then reviewed the complaint under 28 U.S.C. § 1915(e). The

court concluded that the complaint did not provide a short and plain statement of a claim or facts establishing the elements of any claim, dismissed the complaint with leave to amend, and ordered any amended complaint filed within 30 days.

DISPOSITION

dismissed

CASES CITED

- Kelman, 773 F.2d 1026, 1027 n.1 (9th Cir. 1985) (en banc)
- Ivey v. Bd. of Regents of Univ. of Alaska, 673 F.2d 266, 268 (9th Cir. 1982)

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