

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

Robert Wilson v. Unique Logistics International, Inc. et al.

Wilson · No. 25-CV-4895 (EK)(ST) · Decided December 21, 2025

SUMMARY

The Eastern District of New York dismissed Robert Wilson’s pro se 42 U.S.C. § 1983 action concerning the alleged delay by the New York Appellate Division, Second Department, in deciding his appeal. The court held that the request for injunctive relief was moot, judicial immunity barred the claim against Justice Hector D. LaSalle, and the complaint failed to allege state action by Unique Logistics International, Inc.; dismissal was with prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of New York
WRITING FOR THE COURT	Eric Komitee
JURISDICTION	United States District Court for the Eastern District of New York
DECIDED	December 21, 2025
DOCKET	25-CV-4895 (EK)(ST)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se plaintiff brought a 42 U.S.C. § 1983 action seeking injunctive and declaratory relief based on an alleged delay by the New York Appellate Division, Second Department, in deciding his state-court appeal. The federal court granted in forma pauperis status solely for purposes of screening, denied preliminary relief as moot, and dismissed the complaint under 28 U.S.C. § 1915(e)(2)(B).
STANDARD OF REVIEW	The court screened the complaint sua sponte under 28 U.S.C. § 1915(e)(2)(B), dismissing if it failed to state a claim or if subject matter jurisdiction was lacking.
PRECEDENTIAL VALUE	Unknown; memorandum and order from the United States District Court for the Eastern District of New York.
PARTIES	Robert Wilson v. Unique Logistics International, Inc. et al.

TOPICS

mootness

subject matter jurisdiction

section 1983

due process

civil procedure

PRACTICE AREAS

civil procedure

civil rights

constitutional law

appellate procedure

remedies

QUESTIONS PRESENTED

1. Whether Wilson's request for injunctive relief became moot after the state appellate court issued the delayed decision.
2. Whether judicial immunity barred Wilson's declaratory-relief claim against the presiding Justice of the New York Appellate Division, Second Department.
3. Whether Wilson stated a claim under 42 U.S.C. § 1983 against Unique Logistics International, Inc. absent an allegation that the company acted under color of state law.

HOLDINGS

1. The request for injunctive relief was moot because the New York Appellate Division had already issued the decision that Wilson sought the federal court to compel.
2. Judicial immunity barred Wilson's claim for declaratory relief against the presiding Justice because the alleged failure to promptly decide or manage the appeal was conduct within the Justice's judicial function.
3. The complaint failed to state a claim under 42 U.S.C. § 1983 against Unique Logistics because it alleged no state action or conduct under color of state law.

KEY QUOTATIONS

“Judicial immunity therefore applies.”

“The law thus “excludes from its reach merely private conduct, no matter how discriminatory or wrongful.””

“Dismissal is with prejudice.”

FACTUAL BACKGROUND

Wilson alleged that the presiding Justice of the New York Appellate Division, Second Department, failed to issue a timely decision in his state-court appeal, thereby depriving him of due process. He sought an order requiring the Second Department to decide the appeal within ten days. The Second Department issued its decision after Wilson filed this federal action, and Wilson alleged only that Unique Logistics was a foreign corporation.

PROCEDURAL HISTORY

Wilson sued the presiding Justice of the New York Appellate Division, Second Department, and Unique Logistics International, Inc. After the Second Department issued a decision in the underlying appeal, the court denied Wilson's request for preliminary relief as moot and ordered him to show cause why the case should not be

dismissed, including on judicial-immunity grounds. Wilson did not respond. The court dismissed the complaint with prejudice, denied in forma pauperis status for any appeal, directed entry of judgment, and closed the case.

DISPOSITION

dismissed

CASES CITED

- United States v. Cotton, 535 U.S. 625, 630 (2002)
- Haczynska v. Mount Sinai Health Sys., Inc., 738 F. Supp. 3d 300, 315 (E.D.N.Y. 2024)
- Exxon Mobil Corp. v. Healey, 28 F.4th 383, 392 (2d Cir. 2022)
- Rodriguez v. Weprin, 116 F.3d 62, 66 (2d Cir. 1997)
- American Mfrs. Mut. Ins. Co. v. Sullivan, 526 U.S. 40, 50 (1999)
- Butcher v. Wendt, 975 F.3d 236, 241 (2d Cir. 2020)
- Coppedge v. United States, 369 U.S. 438, 444-45 (1962)
- Wilson v. Unique Logistics Int’l, Inc., No. 2025-05384, Dkt. No. 20 (N.Y. App. Div. 2d Dep’t Sept. 17, 2025)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK -----
-----x ROBERT WILSON, Plaintiff, MEMORANDUM & ORDER 25-CV-4895 (EK)(ST)
-against- UNIQUE LOGISTICS INTERNATIONAL, INC. et al., Defendants. -----
-----x ERIC KOMITEE, United States District Judge: Plaintiff Robert Wilson brought this claim against the presiding judge of the Appellate Division of the Supreme Court of New York (Second Department) and a party against whom he was litigating in state court.

Proceeding pro se, he complains that the Appellate Division failed to issue a timely decision of his appeal. Invoking 42 U.S.C. § 1983, Wilson contends that the delay has deprived him of due process rights protected by the U.S. Constitution. He asked this Court to direct the Second Department to decide his appeal within ten days. Compl. 2, ECF No. 1.

After Wilson filed this action, the Second Department rendered a decision. Order, Wilson v. Unique Logistics Int’l, Inc., No. 2025-05384, Dkt. No. 20 (N.Y. App. Div. 2d Dep’t Sept. 17, 2025). This Court therefore denied the motion for preliminary relief as moot, Docket Order dated Oct. 8, 2025, and ordered plaintiff to show cause why this case should not be dismissed as moot and invited him to address “whether the doctrine of judicial immunity bars his claim for declaratory relief.” Id. Plaintiff has not responded.

Plaintiff’s application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915(a), ECF No. 2, is granted solely for the purpose of this Order. For the reasons that follow, however, the complaint is dismissed for failure to state a claim. When a plaintiff seeks to proceed in forma pauperis, a court

will dismiss the complaint sua sponte if, among other things, it “fails to state a claim upon which relief may be granted,” 28 U.S.C. § 1915(e)(2)(B)(ii), or the court lacks subject matter jurisdiction over the case.

See, e.g., *United States v. Cotton*, 535 U.S. 625, 630 (2002) (“[S]ubject-matter jurisdiction, because it involves the court’s power to hear a case, can never be forfeited or waived.”).¹ Plaintiff’s request for injunctive relief is now moot. Requiring a decision was the only “form of meaningful injunctive relief” the Court could have fashioned. *Haczynska v. Mount Sinai Health Sys., Inc.*, 738 F. Supp. 3d 300, 315 (E.D.N.Y.

2024). This request is thus dismissed for lack of subject matter jurisdiction. Unless otherwise noted, when quoting judicial decisions this order accepts all alterations and omits all citations, footnotes, and internal quotation marks. See *Exxon Mobil Corp. v. Healey*, 28 F.4th 383, 392 (2d Cir. 2022). Judicial immunity bars Plaintiff’s claim for declaratory relief against the presiding Justice (the Hon. Hector D. LaSalle).

In *Rodriguez v. Weprin*, the Second Circuit afforded immunity to court employees who were alleged to have failed to “properly manage the court calendar and more quickly bring [plaintiff’s] appeal to fruition.” 116 F.3d 62, 66 (2d Cir. 1997).

The panel explained that “[a] court’s inherent power to control its docket is part of its function of resolving disputes between parties.” *Id.* Judicial immunity therefore applies. The complaint must also be dismissed as to Unique Logistics. Section 1983 applies to state action. It establishes liability for persons acting “under color of any statute, ordinance regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983.

The law thus “excludes from its reach merely private conduct, no matter how discriminatory or wrongful.” *American Mfrs. Mut. Ins. Co. v. Sullivan*, 526 U.S. 40, 50 (1999). Wilson only alleges that Unique Logistics is a “foreign corporation.” Compl. 1.

For the foregoing reasons, the complaint is dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B). See *Butcher v. Wendt*, 975 F.3d 236, 241 (2d Cir. 2020) (holding that claims “barred by absolute judicial immunity [are] correctly dismissed under Rule 12(b)(6)”). Dismissal is with prejudice.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore denies in forma pauperis status for the purpose of an appeal. *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to mail a copy of this order to plaintiff, note the mailing on the docket, enter judgment, and close this case. SO ORDERED. /s/ Eric Komitee ERIC KOMITEE
United States District Judge Dated: December 21, 2025 Brooklyn, New York

