

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA, FORT WAYNE DIVISION

Zachary S. Murphy v. Cyntoria Collins, et al.

Murphy v. Collins · No. 1:25-CV-611-HAB-ALT · Decided December 4, 2025

SUMMARY

The court denies Zachary S. Murphy leave to proceed in forma pauperis and dismisses without prejudice his § 1983 action against the Allen County Department of Child Services and its employees. The court concludes that the claims are intertwined with ongoing state-court custody proceedings and are subject to abstention, while the additional state-law claims lack federal jurisdiction. The court also finds amendment would be futile.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana, Fort Wayne Division
WRITING FOR THE COURT	Holly A. Brady
JURISDICTION	United States District Court for the Northern District of Indiana, Fort Wayne Division
DECIDED	December 4, 2025
DOCKET	1:25-CV-611-HAB-ALT
DISPOSITION	dismissed
PROCEDURAL POSTURE	On screening under 28 U.S.C. § 1915(e)(2), the court considered a pro se § 1983 complaint challenging state child-custody proceedings, together with the plaintiff's motion to proceed in forma pauperis.
STANDARD OF REVIEW	The court screened the complaint under 28 U.S.C. § 1915(e)(2), dismissing claims that were frivolous or malicious, failed to state a claim, or sought relief from an immune defendant. It also assessed subject-matter jurisdiction and whether amendment would be futile.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Zachary S. Murphy v. Cyntoria Collins, Allen County Department of Child Services, DCS employees

TOPICS

section 1983

subject matter jurisdiction

family law procedure

civil rights

federalism

PRACTICE AREAS

Civil rights

Federal jurisdiction

Family law

Civil procedure

QUESTIONS PRESENTED

1. Whether the court could adjudicate Murphy's § 1983 claims seeking damages or injunctive relief that would interfere with ongoing state child-custody proceedings.
2. Whether Murphy adequately pleaded a § 1983 gender-discrimination claim.
3. Whether the court had subject-matter jurisdiction over Murphy's purported state-law tort claims in the absence of federal-question or diversity jurisdiction.
4. Whether Murphy should be granted leave to amend his complaint.
5. Whether Murphy should be permitted to proceed in forma pauperis despite his financial eligibility.

HOLDINGS

1. The federal court could not adjudicate claims that would inject it into an ongoing state-court custody dispute; Murphy could not avoid abstention merely by invoking § 1983 and a constitutional right to familial association.
2. Murphy's gender-discrimination allegation failed to state a claim because it was conclusory and unsupported by facts, and its entanglement with the ongoing custody proceedings also supported abstention.
3. The court lacked subject-matter jurisdiction over Murphy's kidnapping, extortion, and defamation claims because they presented no federal question and diversity jurisdiction was absent.
4. Leave to amend was properly denied because amendment would be futile: no pleading could cure the abstention and subject-matter-jurisdiction defects or create diversity jurisdiction.
5. Murphy was financially eligible to proceed in forma pauperis, but the court denied leave because the complaint was subject to dismissal under 28 U.S.C. § 1915(e)(2).

KEY QUOTATIONS

"The Court can do none of these things."

"For these reasons, Murphy's complaint fails to state any claim upon which the Court can grant relief."

"Accordingly, the Court DENIES Murphy leave to proceed in forma pauperis (ECF 2) and his claims are DISMISSED WITHOUT PREJUDICE."

FACTUAL BACKGROUND

Murphy alleged that the Allen County Department of Child Services and its employees colluded to deprive him of custody of and a relationship with his infant son. He asserted familial-association and gender-discrimination

claims under 42 U.S.C. § 1983, along with claims characterized as kidnapping, extortion, and defamation, and sought damages and injunctive relief. The state custody proceedings appeared to be ongoing, and all parties were domiciled in Indiana.

PROCEDURAL HISTORY

Murphy filed a pro se complaint against the Allen County Department of Child Services and employees in their individual and official capacities, alleging interference with his relationship with his son and related constitutional and tort claims. He moved to proceed in forma pauperis. The court found him financially eligible but denied leave to proceed in forma pauperis because the complaint was subject to dismissal for abstention, lack of subject-matter jurisdiction, failure to state a claim, and futile amendment. The claims were dismissed without prejudice.

DISPOSITION

dismissed

CASES CITED

- Adkins v. E.I. DuPont de Nemours & Co., 335 U.S. 331, 339 (1948)
- Merritte v. Templeton, 493 F. App'x 782, 784 (7th Cir. 2012)
- Murphy v. Allen Cnty. DCS/CASA, No. 1:23-CV-00009-HAB-SLC, 2024 WL 992245 (N.D. Ind. Feb. 14, 2024), report and recommendation adopted, No. 1:23-CV-009-HAB-SLC, 2024 WL 983925 (N.D. Ind. Mar. 7, 2024)
- J.B. v. Woodard, 997 F.3d 714, 722 (7th Cir. 2021)
- J.B. v. Woodard, 997 F.3d 714, 724 (7th Cir. 2021)
- J.B. v. Woodard, 997 F.3d 714, 725 (7th Cir. 2021)
- Wereko v. Rosen, No. 22 C 02177, 2023 WL 2241989, at *8 (N.D. Ill. Feb. 27, 2023)
- Runnion ex rel. Runnion v. Girl Scouts of Greater Chi. & Nw. Ind., 786 F.3d 510, 519-20 (7th Cir. 2015)
- Barry Aviation Inc. v. Land O'Lakes Mun. Airport Comm'n, 377 F.3d 682, 687 (7th Cir. 2004)