

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, EASTERN DIVISION

Darnell Jerome-Murphy Bey, Agent for Darnell Murphy-Bey Trust v.
North County Cooperative Police Department

Bey · No. 4:25CV1149 · Decided March 24, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri granted Plaintiff's motion to remand an action removed from state court. The court held that vague references to constitutional violations did not establish federal-question jurisdiction because the petition primarily sought the return of property and equitable relief. The court concluded that Defendant failed to meet its burden of establishing subject-matter jurisdiction.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Eastern Division
JURISDICTION	United States District Court for the Eastern District of Missouri
DECIDED	March 24, 2026
DOCKET	4:25CV1149
DISPOSITION	remanded
PROCEDURAL POSTURE	Plaintiff moved to remand a removed state-court action under 28 U.S.C. § 1447(c), arguing that the federal court lacked subject-matter jurisdiction. The district court granted the motion and ordered remand to state court.
STANDARD OF REVIEW	The removing party bears the burden of establishing federal jurisdiction, and doubts concerning removal are resolved in favor of remand. Remand is required when it appears that the federal court lacks subject-matter jurisdiction.
PRECEDENTIAL VALUE	Unpublished district court opinion; binding precedential status is not indicated.

TOPICS

- subject matter jurisdiction
- civil procedure
- pleadings

PRACTICE AREAS

Federal civil procedure

Removal and remand

Federal-question jurisdiction

QUESTIONS PRESENTED

1. Whether the district court had federal-question jurisdiction over the removed state-court action under 28 U.S.C. § 1331.
2. Whether vague or passing references to constitutional violations in a state-court petition or attachment were sufficient to support removal.
3. Whether the action should be remanded under 28 U.S.C. § 1447(c).

HOLDINGS

1. The district court lacked federal-question subject-matter jurisdiction because the action did not arise under the Constitution, laws, or treaties of the United States within the meaning of 28 U.S.C. § 1331.
2. A vague, ambiguous, or passing reference to federal law is insufficient to support removal based on federal-question jurisdiction.
3. The case had to be remanded because the court lacked subject-matter jurisdiction.

KEY QUOTATIONS

“A defendant may remove “any civil action brought in a State court of which the district courts of the United States have original jurisdiction.”” (Legal Standard)

“But as Courts have held “vague, ambiguous, or passing references to federal law in a complaint are not sufficient to support removal based on federal question jurisdiction.”” (Discussion)

FACTUAL BACKGROUND

Plaintiff filed a state-court action alleging that he was detained without charge and that Defendant seized property belonging to the Darnell Murphy Bey Trust. He sought return of his vehicle and other equitable relief through a verified bill in equity. The state-court petition and an attached document referred to constitutional violations, but the pleaded demand sought return of property rather than relief under a federal constitutional cause of action.

PROCEDURAL HISTORY

Plaintiff filed a verified bill in equity in Missouri state court on June 22, 2025, alleging detention without charge and seizure of trust property. Defendant removed the action on July 30, 2025, invoking federal-question jurisdiction under 28 U.S.C. § 1331 based primarily on a reference to constitutional violations in an attachment to the petition. Plaintiff moved to remand on August 8, 2025. The district court held that Defendant failed to establish federal-question jurisdiction and remanded the case.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The action is remanded to the Missouri state court from which it was removed.

CASES CITED

- In re Prempro Prods. Liab. Litig., 591 F.3d 613, 619-20 (8th Cir. 2010)
- Kellum v. Glister-Mary Lee Corp. Grp. Health Benefit Plan, 115 F.4th 849, 852-53 (8th Cir. 2024)
- Henderson v. Jordan, No. 4:09-CV-937-RWS, 2009 WL 2168692, at *2 (E.D. Mo. July 17, 2009)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION DARNELL JEROME-MURPHY BEY,) Agent for Darnell Murphy-Bey Trust,)) Plaintiff,)) v.) Case No. 4:25CV1149 HEA) NORTH COUNTY COOPERATIVE) POLICE DEPARTMENT,)) Defendant.) OPINION, MEMORANDUM AND ORDER This matter is before the Court on Plaintiff's Motion to Remand Case to State Court and Notice to Correct Caption, [Doc.

No. 10]. Considering the record in its entirety, the Court concludes that it lacks subject-matter jurisdiction over this case. Accordingly, the Court grants Plaintiff's Motion. Facts and Background Plaintiff filed this action in state court on June 22, 2025.

In his petition, Plaintiff claims he was detained without charge and property belonging to the DARNELL MURPHY BEY TRUST was seized by Defendant. Plaintiff brought this "Verified Bill in Equity" demanding the return of his vehicle and other equitable relief.

On July 30, 2025, Defendant timely filed a Notice of Removal, asserting that removal is proper on the basis of federal-question jurisdiction, citing 28 U.S.C. § 1331. In support, Defendant highlights an attachment to the state court petition in which Plaintiff alleges that Defendant committed "constitutional violations" On August 8, 2025, Plaintiff moved to remand the case because there is no federal statute or cause of action invoked.

Defendant opposes remand. Legal Standard A defendant may remove "any civil action brought in a State court of which the district courts of the United States have original jurisdiction." 28 U.S.C. § 1441(a). Removal is proper "only if the action originally could have been filed" in federal court.

In re Prempro Prods. Liab. Litig., 591 F.3d 613, 619 (8th Cir. 2010) (citation omitted). After removal, a plaintiff may seek remand on jurisdictional grounds, and relief must be granted if it appears that the court lacks subject matter jurisdiction. 28 U.S.C. § 1447(c).

The removing party “bears the burden of establishing federal jurisdiction,” with “[a]ll doubts... resolved in favor of remand to state court.” *In re Prempro*, 591 F.3d at 620 (citations omitted). As relevant here, this Court has “original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.” 28 U.S.C. § 1331. “A case arises under federal law most directly when federal law creates the cause of action asserted.” *Kellum v. Glister-Mary Lee Corp. Grp.*

Health Benefit Plan, 115 F.4th 849, 852–53 (8th Cir. 2024) (quotation and alterations omitted). Jurisdiction based on a federal question typically “is governed by the ‘well-pleaded complaint rule,’ which provides that federal jurisdiction exists only when a federal question is presented on the face of the plaintiff’s properly pleaded complaint.” *Id.* at 853 (citation omitted).

Discussion Under the applicable law, Defendant has failed to meet its burden of establishing subject-matter jurisdiction. In its Notice of Removal, Defendant cited primarily to one portion of Plaintiff’s exhibit 1 to suggest that this is a cause of action under the U.S. Constitution. That exhibit states, under a caption titled “Affidavit of Non-Response,” that “he served legal notice regarding constitutional violations” But as Courts have held “vague, ambiguous, or passing references to federal law in a complaint are not sufficient to support removal based on federal question jurisdiction.” *Henderson v. Jordan*, No. 4:09-CV-937-RWS, 2009 WL 2168692, at *2 (E.D.

Mo. July 17, 2009) (collecting cases). While Plaintiff references ‘constitutional violations,’ the demand in his Petition clarifies that this claim does not arise under the Constitution. Rather, the relief requested is an order for the return of his property and other equitable relief.

As such, the Court lacks subject-jurisdiction over this matter and must remand the case. Conclusion Accordingly, IT IS HEREBY ORDERED Plaintiff's Motion to Remand, [Doc. No. 10], is GRANTED. An appropriate order of remand is entered this date. Dated this 24"" day of March, 2026. _ ttle — UNITED STATES DISTRICT JUDGE