

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA

Twitchell v. State of Alaska, et al.

No. 3:26-cv-00117-SLG (D. Alaska Apr. 22, 2026) · No. 3:26-cv-00117-SLG · Decided April 22, 2026

SUMMARY

The United States District Court for the District of Alaska grants Martin Twitchell’s motion to remand an action removed from Alaska state court. The court holds that the operative Second Amended Complaint eliminated the federal claims, leaving only state-law claims and no basis for federal-question or supplemental jurisdiction under *Royal Canin U.S.A., Inc. v. Wulfschleger*. The case is remanded to the Superior Court for the State of Alaska, Third Judicial District at Anchorage.

CASE DETAILS

COURT	United States District Court for the District of Alaska
WRITING FOR THE COURT	Sharon L. Gleason
JURISDICTION	United States District Court for the District of Alaska
DECIDED	April 22, 2026
DOCKET	3:26-cv-00117-SLG
DISPOSITION	remanded
PROCEDURAL POSTURE	Defendants removed Plaintiff's Alaska state-court action to federal court based on federal-question jurisdiction. After removal, Plaintiff amended the complaint to eliminate the federal claims and moved to remand.
STANDARD OF REVIEW	The court applied the statutory requirement that a removed case be remanded if, before final judgment, the federal court lacks subject-matter jurisdiction. Removal statutes are strictly construed, and federal jurisdiction is presumed absent unless affirmatively established.
PRECEDENTIAL VALUE	Unknown; district court order with no reporter citation or stated precedential designation.
PARTIES	Martin Twitchell v. State of Alaska, Alaska Department of Corrections, John Doe

TOPICS

- subject matter jurisdiction
- civil procedure
- motion to amend
- pleadings

PRACTICE AREAS

civil procedure

constitutional law

civil rights

QUESTIONS PRESENTED

1. Whether the court's federal-question jurisdiction should be determined from the operative Second Amended Complaint filed after removal.
2. Whether Plaintiff's elimination of all federal claims from the Second Amended Complaint required remand of the remaining state-law claims.
3. Whether Plaintiff properly amended the complaint under Federal Rule of Civil Procedure 15 with Defendants' written consent.

HOLDINGS

1. When a plaintiff amends the complaint after removal, federal jurisdiction depends on what the operative amended complaint alleges.
2. When the operative complaint eliminates all federal claims, federal-question jurisdiction disappears and the federal court must remand the remaining state-law claims because supplemental jurisdiction also disappears.
3. Plaintiff's Second Amended Complaint was properly filed with Defendants' written consent under Rule 15 and was the operative pleading for jurisdictional purposes.

KEY QUOTATIONS

“When a plaintiff amends her complaint following her suit's removal, a federal court's jurisdiction depends on what the new complaint says.” (604 U.S. at 30)

“[J]urisdiction follows from (and only from) the operative pleading.” (604 U.S. at 35)

“When a plaintiff, after removal, cuts out all her federal- law claims, federal-question jurisdiction dissolves. And with any federal anchor gone, supplemental jurisdiction over the residual state claims disappears as well.” (604 U.S. at 39)

“The operative pleading no longer supports federal jurisdiction, and the federal court must remand the case to the state court where it started.” (604 U.S. at 39)

FACTUAL BACKGROUND

On November 27, 2025, a Department of Corrections employee allegedly placed Plaintiff, who was heavily intoxicated, in an unsupervised cell without medical assistance at the Anchorage Correctional Complex. Plaintiff allegedly fell and suffered serious injuries. He initially pleaded federal and state claims, but after removal amended the complaint to eliminate the federal claims and proceed solely under Alaska law.

PROCEDURAL HISTORY

Plaintiff filed a five-count complaint in the Superior Court for the State of Alaska, Third Judicial District at Anchorage, asserting federal and state claims arising from alleged inadequate medical supervision while Plaintiff was intoxicated in a correctional facility. Defendants removed the action under 28 U.S.C. §§ 1331 and 1441. Plaintiff subsequently filed a First Amended Complaint and, with Defendants' written consent under Federal Rule of Civil Procedure 15, a Second Amended Complaint that pleaded only Alaska constitutional and state-law claims. The federal district court granted the motion to remand and returned the case to state court.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The case is remanded to the Superior Court for the State of Alaska, Third Judicial District at Anchorage, to proceed on Plaintiff's state-law claims.

CASES CITED

- *Morongo Band of Mission Indians v. Rose*, 893 F.2d 1074, 1079 (9th Cir. 1990)
- *Lake v. Ohana Mil. Cmtys., LLC*, 14 F.4th 993, 1000 (9th Cir. 2021)
- *Hawaii ex rel. Louie v. HSBC Bank Nev., N.A.*, 761 F.3d 1027, 1034 (9th Cir. 2014)
- *Stock W., Inc. v. Confederated Tribes of the Colville Rsrv.*, 873 F.2d 1221, 1225 (9th Cir. 1989)
- *Royal Canin U.S.A., Inc. v. Wullschleger*, 604 U.S. 22 (2025)
- *Caterpillar Inc. v. Williams*, 482 U.S. 386, 398-399 (1987)