

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
TENNESSEE, NASHVILLE DIVISION

Summer Danielle Lyons, individually and on behalf of E.R.L., a
minor v. John E. Evans, Esq.

Lyons · No. 3:26-cv-00423 · Decided April 13, 2026

SUMMARY

The United States District Court for the Middle District of Tennessee grants Summer Danielle Lyons leave to proceed in forma pauperis but dismisses her 42 U.S.C. § 1983 claims against John E. Evans, a guardian ad litem, because he was not acting under color of state law. The court declines supplemental jurisdiction over Lyons’s state-law claims for abuse of process and intentional infliction of emotional distress, dismissing those claims without prejudice. The court also denies the emergency motion for a temporary restraining order and preliminary injunction as moot.

CASE DETAILS

COURT	United States District Court for the Middle District of Tennessee, Nashville Division
JURISDICTION	United States District Court for the Middle District of Tennessee, Nashville Division
DECIDED	April 13, 2026
DOCKET	3:26-cv-00423
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se plaintiff filed a civil-rights action under 42 U.S.C. § 1983 and state-law claims, moved to proceed in forma pauperis, and sought emergency injunctive relief. The district court granted in forma pauperis status, conducted the required screening under 28 U.S.C. § 1915(e)(2), dismissed the federal claims with prejudice, declined supplemental jurisdiction over the state-law claims, and denied the emergency motion as moot.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2)(B), the court screened the in forma pauperis complaint for frivolousness, maliciousness, failure to state a claim, and claims seeking relief from an immune defendant. The failure-to-state-a-claim inquiry applied the Rule 12(b)(6) plausibility standard, accepting factual allegations as true and construing pro se pleadings liberally.

PRECEDENTIAL VALUE	unpublished
PARTIES	Summer Danielle Lyons, individually and on behalf of E.R.L., a minor v. John E. Evans, Esq.

TOPICS

section 1983 civil rights procedural due process substantive due process injunctions

PRACTICE AREAS

civil rights civil procedure family law

QUESTIONS PRESENTED

1. Whether the complaint stated a claim under 42 U.S.C. § 1983 against a court-appointed guardian ad litem.
2. Whether the court should exercise supplemental jurisdiction over the state-law claims after dismissing all federal claims.
3. Whether the plaintiff qualified to proceed in forma pauperis.
4. Whether the emergency motion for a temporary restraining order and preliminary injunction remained viable after dismissal of the complaint.

HOLDINGS

1. A guardian ad litem is not a state actor for purposes of § 1983 merely because the court appointed the guardian; the guardian represents the individual's best interests rather than the state's interests. Because Evans was not a state actor, Lyons's § 1983 claims failed and were dismissed with prejudice.
2. After dismissing all claims within the court's original jurisdiction, the court declined to exercise supplemental jurisdiction over the state-law claims under 28 U.S.C. § 1367(c)(3), dismissing those claims without prejudice to refiling in Tennessee state court.
3. The plaintiff qualified to proceed in forma pauperis because her financial circumstances showed that paying the full filing fee would cause undue hardship.

KEY QUOTATIONS

“Review for whether a complaint states a claim upon which relief may be granted asks whether it contains ‘sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face,’ such that it would survive a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6).” (II.A)

“A guardian ad litem – someone appointed by a court to represent another individual – is not a state actor, although appointed by a court, because he represents the individual’s best interests, not the state’s best interests.” (II.C)

FACTUAL BACKGROUND

The complaint arose from Tennessee dependency proceedings in which Lyons's child was removed from her custody. Lyons alleged that John E. Evans, the court-appointed guardian ad litem, failed to independently investigate the circumstances, relied on information from other individuals and an allegedly invalid forensic evaluation, and supported the dependency proceedings despite the absence of a new child-safety event. She asserted that Evans's conduct interfered with her relationship with her child and violated her substantive and procedural due-process rights, and also asserted state-law claims.

PROCEDURAL HISTORY

Lyons filed the complaint, an application to proceed in forma pauperis, and an emergency motion for a temporary restraining order and preliminary injunction. The court granted the IFP application and screened the complaint. It concluded that the guardian ad litem defendant was not a state actor for purposes of § 1983, dismissed the federal claims with prejudice, dismissed the state-law claims without prejudice, denied the injunction motion as moot, and directed entry of judgment.

DISPOSITION

dismissed

CASES CITED

- *Neitzke v. Williams*, 490 U.S. 319, 324 (1989)
- *Adkins v. E.I. DuPont de Nemours & Co.*, 335 U.S. 331, 339, 342 (1948)
- *Foster v. Cuyahoga Dep't of Health and Human Servs.*, 21 F. App'x 239, 240 (6th Cir. 2001)
- *Ongori v. Hawkins*, No. 16-2781, 2017 WL 6759020, at *1 (6th Cir. 2017)
- *Hill v. Lappin*, 630 F.3d 468, 470-71 (6th Cir. 2010)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Erickson v. Pardus*, 551 U.S. 89, 94 (2007)
- *Tackett v. M & G Polymers, USA, LLC*, 561 F.3d 478, 488 (6th Cir. 2009)
- *Tahfs v. Proctor*, 316 F.3d 584, 590 (6th Cir. 2003)
- *Ellison v. Garbarino*, 48 F.3d 192, 194 (6th Cir. 1995)
- *Kissinger v. Mahoning Cnty. Republican Party*, 677 F. Supp. 3d 716, 724 (N.D. Ohio June 16, 2023)
- *Lausin v. Bishko*, 727 F. Supp. 2d 610, 625 (N.D. Ohio July 15, 2010)
- *Bracey v. Barbour*, No. 3:12-cv-629, 2012 WL 2395171, at *8 (M.D. Tenn. June 25, 2012)
- *Long v. Pend Oreille Cnty. Sheriff's Dep't*, 385 F. App'x 641, 642 (9th Cir. 2010)