

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Jon F. Hyers, et al. v. Jeffrey M. Landry, et al.

Jon F. Hyers et al. v. Jeffrey M. Landry et al., No. 26-286 (E.D. La. May 11, 2026) · No. No. 26-286 · Decided
May 11, 2026

SUMMARY

The United States District Court for the Eastern District of Louisiana adopts a magistrate judge’s report and recommendation, with a correction concerning Louisiana’s semi-closed primary system. The court dismisses the pro se plaintiffs’ constitutional claims without prejudice based principally on sovereign immunity and the absence of allegations connecting the Secretary of State to enforcement of the challenged laws. Plaintiffs are granted thirty days to amend their complaint.

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
WRITING FOR THE COURT	Sarah S. Vance
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	May 11, 2026
DOCKET	No. 26-286
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se, in forma pauperis plaintiffs objected to a magistrate judge's report and recommendation recommending dismissal of their complaint without prejudice and with leave to amend. The district court conducted de novo review of the objected-to portions and plain-error review of the remainder.
STANDARD OF REVIEW	De novo review under Federal Rule of Civil Procedure 72(b)(3) for portions of the report and recommendation to which objections were made; plain-error review for portions not properly objected to.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	Jon F. Hyers, Elizabeth R. Glass v. Jeffrey M. Landry, Nancy R. Landry

TOPICS

sovereign immunity

section 1983

election law

civil procedure

constitutional law

PRACTICE AREAS

civil procedure

constitutional law

civil rights

election law

federal jurisdiction

QUESTIONS PRESENTED

1. Whether the magistrate judge improperly characterized Louisiana's primary system as closed rather than semi-closed.
2. Whether the district court was required to separately address plaintiffs' First Amendment and Equal Protection claims before dismissing the complaint.
3. Whether plaintiffs sufficiently pleaded the *Ex parte Young* exception to sovereign immunity against the Louisiana Secretary of State.
4. Whether the complaint should be dismissed without prejudice and with leave to amend based on sovereign immunity and other deficiencies identified in the report and recommendation.

HOLDINGS

1. The court sustained plaintiffs' objection because Louisiana's primary system is semi-closed, not closed; the correction did not cure the complaint's other deficiencies.
2. A district court need not address every possible ground for dismissal or the merits of every claim when dismissal is warranted on another ground.
3. Plaintiffs did not satisfy the *Ex parte Young* exception because the complaint contained no allegations connecting Secretary Landry to enforcement of the challenged acts; sovereign immunity therefore barred the official-capacity claims.
4. The complaint was dismissed without prejudice, and plaintiffs were granted 30 days from issuance of the order to file an amended complaint.

KEY QUOTATIONS

"The complaint must meet both requirements to qualify for the Ex Parte Young exception." (Part III)

"IT IS FURTHER ORDERED that any amended complaint must be filed within 30 days from the issuance of this order." (Part IV)

FACTUAL BACKGROUND

Jon F. Hyers and Elizabeth R. Glass sued Louisiana Governor Jeffrey M. Landry and Secretary of State Nancy R. Landry under 42 U.S.C. § 1983, asserting First and Fourteenth Amendment claims and claims under several constitutional provisions. Plaintiffs alleged that Governor Landry violated their rights by signing Louisiana House Bill 17 of 2024 and Senate Bill 1 of 2025 into law. The complaint made no specific allegations against Secretary Landry. Plaintiffs characterized Louisiana's primary system as semi-closed, while the magistrate judge had described it as closed.

PROCEDURAL HISTORY

Plaintiffs filed a 42 U.S.C. § 1983 complaint against the Governor of Louisiana and the Louisiana Secretary of State, alleging constitutional violations arising from Louisiana election legislation. The complaint was referred to a magistrate judge for review under the federal in forma pauperis statute. The magistrate judge recommended dismissal without prejudice and with leave to amend based principally on sovereign immunity, legislative immunity, insufficient allegations concerning the Secretary of State, and nonjusticiability or inadequacy of certain constitutional claims. The district court sustained plaintiffs' objection to describing Louisiana's primary system as closed rather than semi-closed, overruled the remaining objections, adopted the report and recommendation as modified, and dismissed the complaint without prejudice with 30 days to amend.

DISPOSITION

dismissed

CASES CITED

- *Starns v. Andrews*, 524 F.3d 612, 617 (5th Cir. 2008)
- *Every v. Jindal*, 413 F. App'x 725, 727 (5th Cir. 2011)
- *Bd. of Trs. of the Univ. of Ala. v. Garrett*, 531 U.S. 356, 363 (2001)
- *Edelman v. Jordan*, 415 U.S. 651, 663-69 (1974)
- *Quern v. Jordan*, 440 U.S. 332, 337 (1979)
- *City of Austin v. Paxton*, 943 F.3d 993, 998 (5th Cir. 2019)
- *Verizon Maryland, Inc. v. Public Service Commission of Maryland*, 535 U.S. 635, 645 (2002)
- *Ex parte Young*, 209 U.S. 123, 157 (1908)
- *Bost v. Illinois State Board of Elections*, 146 S. Ct. 513 (2026)
- *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc)

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