

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Hampton v. Villarreal, et al.

Hampton · No. 4:25-cv-13999 · Decided December 17, 2025

SUMMARY

The court dismisses Curtis Hampton Jr.’s civil rights complaint as duplicative of his earlier pending case, Hampton v. Villarreal, No. 5:25-cv-13783. The dismissal is without prejudice to the prior case, and the court directs that the filing and administrative fees be applied there. The court further concludes that any appeal would not be taken in good faith.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	F. Kay Behm
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	December 17, 2025
DOCKET	4:25-cv-13999
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed a pro se civil-rights complaint under 42 U.S.C. § 1983 after filing an identical complaint in an earlier, still-pending case. The district court dismissed the later complaint as duplicative, without prejudice to the earlier action, directed that the submitted fees be applied to the earlier case, and determined that an appeal could not be taken in good faith.
STANDARD OF REVIEW	The court applied the PLRA screening framework and exercised its discretion to dismiss a duplicative action as frivolous or malicious.
PRECEDENTIAL VALUE	unpublished district-court opinion; nonprecedential
PARTIES	Curtis Hampton, Jr. v. Trevor Villarreal, et al.

TOPICS

- civil procedure
- section 1983
- prisoners rights
- appellate procedure
- harmless error

PRACTICE AREAS

civil procedure

civil rights

prisoner litigation

appellate procedure

QUESTIONS PRESENTED

1. Whether the later civil-rights complaint was duplicative of Plaintiff's prior pending complaint and could therefore be dismissed.
2. Whether the filing and administrative fees submitted in the later action should be applied to the prior pending case.
3. Whether an appeal from the dismissal could be taken in good faith under 28 U.S.C. § 1915(a)(3).

HOLDINGS

1. The complaint was duplicative of Plaintiff's prior pending civil-rights complaint and was properly dismissed without prejudice to the proceedings in the prior case.
2. The filing fee and administrative fee submitted in this action were directed to be applied to cure the deficiency in Plaintiff's prior pending case.
3. An appeal from the decision would be frivolous and therefore could not be taken in good faith under 28 U.S.C. § 1915(a)(3).

KEY QUOTATIONS

"A legal action is duplicative if the "claims, parties, and available relief do not significantly differ between the two actions." " (at 2)

"The Court concludes that Plaintiff's complaint in this case is duplicative of his prior, pending complaint and must be dismissed." (at 3)

FACTUAL BACKGROUND

Curtis Hampton, a Michigan prisoner, filed a pro se § 1983 complaint concerning events at Saginaw Correctional Facility. He had already filed an identical complaint in a pending action, Case No. 5:25-cv-13783. After being ordered to cure the filing-fee deficiency in that earlier case, Hampton submitted the same complaint and fees without identifying the prior case, leading the Clerk's Office to open this action.

PROCEDURAL HISTORY

Plaintiff initially filed a civil-rights complaint in Case No. 5:25-cv-13783 without paying the required filing and administrative fees or submitting an in forma pauperis application. After the court issued a deficiency order, Plaintiff submitted an identical complaint and the fees, but failed to identify the earlier case, causing the Clerk's Office to open this new action. The court dismissed this action as duplicative and directed that the fees be applied to the prior case.

DISPOSITION

dismissed

CASES CITED

- Hampton v. Villarreal, et al., No. 5:25-cv-13783 (E.D. Mich., Levy, J.)
- Colorado River Water Conservation Dist. v. United States, 424 U.S. 800, 817 (1976)
- Serlin v. Arthur Andersen & Co., 3 F.3d 221, 223 (7th Cir. 1993)
- Bailey v. Johnson, 846 F.2d 1019, 1021 (5th Cir. 1988)
- McWilliams v. State of Colo., 121 F.3d 573, 574 (10th Cir. 1997)
- Cato v. United States, 70 F.3d 1103, 1105 n. 2 (9th Cir. 1995)
- Pittman v. Moore, 980 F.2d 994, 994-995 (5th Cir. 1993)
- Hahn v. Tarnow, No. 06-CV-12814, 2006 WL 2160934, at *3-7 (E.D. Mich. July 31, 2006)
- Smith, 129 F.3d at 361
- Belser v. Washington, No. 16-2634, 2017 WL 5664908, at *1-2 (6th Cir. Sept. 13, 2017)
- Childress v. Cole, No. 10-14821, 2011 WL 163429, at *3 (E.D. Mich. Jan. 19, 2011)
- Scott v. Burress, et al., No. 09-10916, 2009 WL 891695 (E.D. Mich. Mar. 31, 2009)
- Davis v. United States Parole Comm'n, 870 F.2d 657, 1989 WL 25837, at *1 (6th Cir. Mar. 7, 1989)
- Smith v. Hochul, No. 4:14cv0162, 2014 WL 3748643, at *3-4 (N.D. Ohio July 29, 2014)