

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
ALABAMA, NORTHEASTERN DIVISION

Lakeisha Shante Williams v. Jarvis Garys, et al.

Williams v. Garys · No. 5:25-cv-01969-CLS · Decided November 24, 2025

SUMMARY

The court grants the plaintiff's application to proceed in forma pauperis but reviews the complaint under 28 U.S.C. § 1915(e)(2). It concludes that the allegations concerning events from 2006 and 2007 do not establish federal-question, federal-defendant, or diversity jurisdiction and appear likely time-barred. The action is dismissed for lack of subject-matter jurisdiction.

CASE DETAILS

|                    |                                                                                                                                                                                                                                                                                                  |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT              | United States District Court for the Northern District of Alabama, Northeastern Division                                                                                                                                                                                                         |
| JURISDICTION       | United States District Court for the Northern District of Alabama, Northeastern Division                                                                                                                                                                                                         |
| DECIDED            | November 24, 2025                                                                                                                                                                                                                                                                                |
| DOCKET             | 5:25-cv-01969-CLS                                                                                                                                                                                                                                                                                |
| DISPOSITION        | dismissed                                                                                                                                                                                                                                                                                        |
| PROCEDURAL POSTURE | Plaintiff applied to proceed in forma pauperis in a newly filed civil action. The district court granted the application but independently reviewed the complaint under 28 U.S.C. § 1915(e)(2) and dismissed the action for lack of subject-matter jurisdiction.                                 |
| STANDARD OF REVIEW | Under 28 U.S.C. § 1915(e)(2), a complaint filed by a plaintiff proceeding in forma pauperis must be dismissed if it is frivolous or malicious or fails to state a claim upon which relief may be granted; the court also reviewed whether the complaint established subject-matter jurisdiction. |
| PRECEDENTIAL VALUE | unpublished                                                                                                                                                                                                                                                                                      |
| PARTIES            | Lakeisha Shante Williams v. Jarvis Garys, et al.                                                                                                                                                                                                                                                 |

TOPICS

- subject matter jurisdiction
- pleadings
- civil procedure
- statute of limitations

## PRACTICE AREAS

civil procedure

civil rights

federal jurisdiction

## QUESTIONS PRESENTED

1. Whether Williams established subject-matter jurisdiction under the federal-question, United States-party, or diversity-jurisdiction statutes.
2. Whether the court could dismiss the complaint after granting Williams leave to proceed in forma pauperis.
3. Whether the allegations appeared to be barred by the applicable statute of limitations.

## HOLDINGS

1. The application to proceed in forma pauperis was due to be granted because Williams submitted an affidavit substantiating her inability to pay the required filing fee.
2. The complaint did not establish jurisdiction under 28 U.S.C. § 1331 because it did not assert a claim arising under the Constitution, laws, or treaties of the United States, and no federal claim was apparent from the allegations.
3. The complaint did not establish jurisdiction under 28 U.S.C. § 1346 because it did not show that Officer Matthews or any other defendant was an employee or officer of the United States government.
4. The complaint did not establish diversity jurisdiction under 28 U.S.C. § 1332 because Williams did not allege an amount in controversy exceeding \$75,000 or citizenship diverse from that of the defendants.
5. Granting leave to proceed in forma pauperis did not prevent dismissal because the court was required to review the complaint and dismiss an action that was frivolous or malicious or failed to state a claim, and this action lacked a basis for subject-matter jurisdiction.

## KEY QUOTATIONS

*“Even so, a case in which the court permits a plaintiff to proceed without prepayment of fees still must be dismissed if the court determines that the action is “frivolous or malicious,” or that the complaint fails to state a claim upon which relief may be granted.”* (at 1)

*“Because there is no basis for this court’s subject-matter jurisdiction, the action will be dismissed.”* (at 3)

## FACTUAL BACKGROUND

Williams alleged that events in 2006 and January 2007 involved police following her through traffic lanes, a collision near Oakwood, detention in the Madison County jail, and her eventual release on bond. Her handwritten complaint did not clearly identify a federal claim, federal statute, constitutional provision, or federal defendant. She also did not explain how the amount in controversy exceeded \$75,000, and the face of the complaint appeared to identify Alabama citizens on both sides.

## PROCEDURAL HISTORY

Williams filed a handwritten pro se complaint and an application to proceed in forma pauperis. The court found that her affidavit established inability to pay and granted in forma pauperis status, but concluded that the complaint did not establish federal-question, United States-party, or diversity jurisdiction and dismissed the action. A separate order was to be entered contemporaneously.

## DISPOSITION

dismissed

## CASES CITED

- Tannenbaum v. United States, 148 F.3d 1262, 1263 (11th Cir. 1998)
- GJR Investments, Inc. v. County of Escambia, Florida, 132 F.3d 1359, 1369 (11th Cir. 1998)

## OPINION

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION LAKEISHA SHANTE WILLIAMS, ) ) Plaintiff, ) ) vs. ) Civil  
Action No. 5:25-cv-01969-CLS ) JARVIS GARYS, et al., ) ) Defendants. ) MEMORANDUM  
OPINION This action is before the court on the application of plaintiff, LaKeisha Shante  
Williams, to proceed in forma pauperis. Doc. no. 2.

Motions to proceed in forma pauperis are governed by 28 U.S.C. § 1915(a)(1). That provision permits the court to authorize the commencement of a suit without prepayment of fees upon the party's submission of an affidavit, including a statement of all assets, in support of the party's inability to pay the required fee. Plaintiff has submitted such an affidavit, substantiating her inability to pay.

Accordingly, the court finds that the motion is due to be granted. Even so, a case in which the court permits a plaintiff to proceed without prepayment of fees still must be dismissed if the court determines that the action is "frivolous or malicious," or that the complaint fails to state a claim upon which relief may be granted. See 28 U.S.C. § 1915(e)(2).

Therefore, the court is obligated to review the present complaint with those standards in mind. Plaintiff's complaint was handwritten on a form provided by the Clerk to assist pro se plaintiffs when commencing a civil action.<sup>1</sup> That form requires a plaintiff to provide a short and plain statement of each claim, briefly stating the facts and how each defendant was involved.

Plaintiff completed that section of the form by stating the following: I was railroad[ed] 12 years of my life stating that I was a felon of 2006 from a call from Kinisha Martin depatched [sic]. The police was miles away from me on Memorial [Parkway] when they followed me through lanes. I proceeded on HW [Highway] 72 till Oakwood where I had a wreck. I was hit by a Tahoe and was taken into the Madison County jail until I made bail.

I was released out on bond where I done 8 to 7 months inside the Madison County jail[. I] was in G Unit where I remained until my release date of Jan. 23. 07. Doc. no. 1 (Complaint for a Civil Case), at 5 (alterations supplied).

As the basis for jurisdiction, plaintiff marked the boxes for “Constitutional or Federal Question,” “USA Defendant,” and “Diversity of citizenship.”<sup>2</sup> The court liberally construes pro se pleadings. *Tannenbaum v. United States*, 148 F.3d 1262, 1263 (11th Cir. 1998).

The court may not, however, “serve as de facto counsel for a party, or [ ] rewrite an otherwise deficient pleading in order to sustain an action.” *GJR Investments, Inc. v. County of Escambia, Florida*, 132 F.3d 1359, 1369 (11th Cir. 1998) (alteration supplied) (internal citations omitted). Even under 1 Doc. no. 1 (Complaint for a Civil Action). 2 Id. at 3. 2 that liberal standard, the court still concludes that the allegations of plaintiff’s complaint, without more, fail to establish this court’s jurisdiction over any claims she may have.

As an initial matter, it appears that the incidents plaintiff complains of occurred during 2006, and at the latest, in January of 2007. Any claims that may have arisen from those incidents likely are time-barred. Moreover, plaintiff’s complaint does not assert a claim “arising under the Constitution, laws or treaties of the United States” and, therefore, she has not established the court’s jurisdiction under 28 U.S.C. § 1331.

The form provides a space for a plaintiff to “[l]ist the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.” Plaintiff’s handwritten entry in that section is indecipherable, and she did not provide any such references. No federal claims are apparent from the information that plaintiff provided.

Likewise, plaintiff has not established that any of the defendants is an employee or officer of the United States government, such that there is federal jurisdiction under 28 U.S.C. § 1346. In section II.A. of the complaint, plaintiff identified “Officer Matthews” as the “USA Defendant,” and listed the officer’s address as “Wheeler Avenue.” There is no indication that “Officer Matthews,” or any other defendant, is 3 an employee or officer of the United States government.

Finally, plaintiff has not established the court’s jurisdiction under 28 U.S.C. § 1332. That statute requires the amount in controversy to exceed the sum or value of \$75,000, and that the opposing parties be citizens of different States. Plaintiff did not complete the portion of the complaint asking her to explain how the amount in controversy exceeds \$75,000.

Additionally, from the face of the complaint, it appears that plaintiff and all of the defendants are citizens of Alabama. Because there is no basis for this court’s subject-matter jurisdiction, the action will be dismissed. A separate order consistent with this memorandum opinion will be entered contemporaneously herewith. DONE this 24th day of November, 2025. ofl

