

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
MASSACHUSETTS

Kenneth L. Ventura, Jr. v. Barnstable Probate & Family Court, et al.

Ventura · No. 25-CV-13505-AK · Decided November 26, 2025

SUMMARY

The United States District Court for the District of Massachusetts screened a pro se complaint challenging proceedings in a Massachusetts probate matter under Title II of the Americans with Disabilities Act and the First and Fourteenth Amendments. The court explained that the probate exception, Rooker-Feldman, Younger and Colorado River abstention, the Anti-Injunction Act, judicial immunity, and Eleventh Amendment immunity limited or barred many of the asserted claims, and found the ADA allegations insufficiently pleaded. The court permitted the plaintiff to file an amended complaint and address the filing fee by December 29, 2025, warning that failure to do so would result in dismissal.

CASE DETAILS

COURT	United States District Court for the District of Massachusetts
WRITING FOR THE COURT	Angel Kelley
JURISDICTION	United States District Court for the District of Massachusetts
DECIDED	November 26, 2025
DOCKET	25-CV-13505-AK
DISPOSITION	other
PROCEDURAL POSTURE	The court screened a pro se emergency complaint seeking injunctive relief, monetary damages, and distribution of an inheritance. Plaintiff had not paid the filing fee or moved to proceed in forma pauperis. The court concluded that the complaint was subject to dismissal but permitted Plaintiff to file an amended complaint and address the filing fee.
STANDARD OF REVIEW	The court conducted sua sponte jurisdictional screening, construed the pro se complaint liberally, and assessed whether the pleading stated a plausible claim for relief.
PRECEDENTIAL VALUE	unpublished district-court memorandum and order; precedential status not stated

PARTIES

Kenneth L. Ventura, Jr. v. Barnstable Probate & Family Court, Susan Sard Tierney, Sarah J. Long, Angela L. Venture, Theodore A. Schilling, Robert Lawless, Stuart Rapp

TOPICS

probate procedure

probate

subject matter jurisdiction

ada / disability

motion to amend

PRACTICE AREAS

federal civil procedure

probate

civil rights

disability discrimination

constitutional law

QUESTIONS PRESENTED

1. Whether the federal district court could exercise jurisdiction over claims seeking to interfere with or obtain control over property involved in ongoing Massachusetts probate proceedings.
2. Whether the Rooker-Feldman doctrine, Younger abstention, Colorado River abstention, the probate exception, or the Anti-Injunction Act barred the requested federal relief.
3. Whether claims against the state probate court and state officials in their official capacities were barred by Eleventh Amendment sovereign immunity.
4. Whether claims against the state probate judge for judicial rulings were barred by absolute judicial immunity.
5. Whether Plaintiff adequately pleaded a Title II ADA discrimination claim based on the alleged denial of requested accommodations.

HOLDINGS

1. The federal court could not exercise jurisdiction to the extent Plaintiff's claims would interfere with ongoing Massachusetts probate proceedings, control property in the custody of the state probate court, or review final state-court rulings.
2. The Anti-Injunction Act barred at least some of the injunctive relief Plaintiff sought against the state probate proceedings.
3. Claims for damages against Judge Tierney based on her judicial rulings were barred by absolute judicial immunity, and injunctive relief against her was unavailable on the allegations presented.
4. Claims against the Commonwealth, state agencies, and state officials in their official capacities for monetary relief under Section 1983 were subject to dismissal because of Eleventh Amendment sovereign immunity.
5. The complaint failed to adequately plead discrimination under Title II of the ADA because, apart from conclusory assertions, it did not sufficiently establish the required elements of exclusion, denial of benefits, or discrimination by reason of disability.

KEY QUOTATIONS

“If state court proceedings are ongoing, this Court lacks subject matter jurisdiction under the Younger and Colorado River abstention doctrines. If a final order has been entered in the state court proceeding, this federal court lacks subject matter jurisdiction over such claims under the Rooker-Feldman doctrine.”

(Section 2(a))

“Even when construing the complaint generously, Plaintiff has failed to adequately plead discrimination under the ADA.” (Section 2(d))

FACTUAL BACKGROUND

The federal complaint arose from an ongoing probate proceeding concerning Plaintiff's father's estate in the Barnstable Probate and Family Court. Plaintiff claimed a protected property interest in an inheritance exceeding \$691,667 and alleged that state-court procedures delayed access to the estate while he was homeless, medically vulnerable, and unable to satisfy asserted filing, service, travel, and formatting requirements. He alleged that defendants denied requested accommodations, including electronic filing, remote hearing participation, electronic delivery of documents, and flexibility concerning service and formatting.

PROCEDURAL HISTORY

Plaintiff filed the federal action on November 21, 2025, based on alleged violations of Title II of the ADA and the First and Fourteenth Amendments arising from ongoing Massachusetts probate proceedings. The district court reviewed the complaint sua sponte for subject-matter jurisdiction and legal sufficiency. Rather than immediately dismissing the action, the court granted leave to amend by December 29, 2025, and required payment of the filing fee or submission of an in forma pauperis application.

DISPOSITION

other

CASES CITED

- *Nunes v. Massachusetts Department of Correction*, 766 F.3d 136, 144 (1st Cir. 2014)
- *Borrás-Borrero v. Corporación del Fondo del Seguro del Estado*, 958 F.3d 26, 35 (1st Cir. 2020)
- *Albright v. Oliver*, 510 U.S. 266, 271 (1994)
- *Wiener v. MIB Group, Inc.*, 86 F.4th 76, 81 n.3 (1st Cir. 2023)
- *L. Offices of David Efron v. Matthews & Fullmer Law Firm*, 782 F.3d 46, 56 n.7 (1st Cir. 2015)
- *Berrios-Romero v. Estado Libre Asociado de Puerto Rico*, 641 F.3d 24, 27 (1st Cir. 2011)
- *Riley v. Bondi*, 606 U.S. —, 145 S. Ct. 2190, 2201 (2025)
- *McCulloch v. Velez*, 364 F.3d 1, 5 (1st Cir. 2004)
- *Goodyear Tire & Rubber Co. v. Haeger*, 581 U.S. 101, 107 (2017)
- *Link v. Wabash Railroad Co.*, 370 U.S. 626, 630-31 (1962)
- *Mallard v. United States District Court*, 490 U.S. 296, 307-308 (1989)
- *Brockton Savings Bank v. Peat, Marwick, Mitchell & Co.*, 771 F.2d 5, 11 n.5 (1st Cir. 1985)

- *Axcella Building Realty Trust v. Thompson*, No. 23-40151-DHH, 2024 WL 474539, at *2 n.2 (D. Mass. Jan. 25, 2024)
- *Neitzke v. Williams*, 490 U.S. 319, 325 (1989)
- *Haines v. Kerner*, 404 U.S. 519, 520-21 (1972)
- *Jiménez v. Rodriguez-Pagan*, 597 F.3d 18, 23 (1st Cir. 2010)
- *Geiger v. Foley Hoag LLP Retirement Plan*, 521 F.3d 60, 65 (1st Cir. 2008)
- *Rossi v. Gemma*, 489 F.3d 26, 34-35 (1st Cir. 2007)
- *Rivera-Puig v. Garcia-Rosario*, 983 F.2d 311, 320-21 (1st Cir. 1992)
- *Lance v. Dennis*, 546 U.S. 459, 463 (2006)
- *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462, 482 (1983)
- *Davison v. Government of Puerto Rico-Puerto Rico Firefighters Corps.*, 471 F.3d 220, 223 (1st Cir. 2006)
- *Atlantic Coast Line Railroad Co. v. Brotherhood of Locomotive Engineers*, 398 U.S. 281, 287 (1970)
- *Zenon v. Guzman*, 924 F.3d 611, 616 (1st Cir. 2019)
- *Pierson v. Ray*, 386 U.S. 547, 554 (1967)
- *Alexandre v. Prince*, No. 22-CV-11340-ADB, 2022 WL 3597409, at *1 (D. Mass. Aug. 23, 2022)
- *Mireles v. Waco*, 502 U.S. 9, 11-12 (1991)
- *Kentucky v. Graham*, 473 U.S. 159, 169 (1985)
- *Wojcik v. Massachusetts State Lottery Commission*, 300 F.3d 92, 99 (1st Cir. 2002)
- *Will v. Michigan Department of State Police*, 491 U.S. 58, 66, 71 (1988)
- *College Savings Bank v. Florida Prepaid Postsecondary Education Expense Board*, 527 U.S. 666, 676 (1999)
- *Parker v. Universidad de Puerto Rico*, 225 F.3d 1, 5 (1st Cir. 2000)
- *Brait Builders Corp. v. Massachusetts, Division of Capital Asset Management*, 644 F.3d 5, 9 (1st Cir. 2011)