

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS, DALLAS DIVISION

Sherita Everetts v. Ken Paxton

No. 3:25-cv-1325-S-BT · No. No. 3:25-cv-1325-S-BT · Decided January 27, 2026

SUMMARY

The magistrate judge recommends dismissing Sherita Everetts’s action challenging Texas state court child-support proceedings for lack of subject-matter jurisdiction. The recommendation concludes that sovereign immunity bars claims against the Texas Attorney General in his official capacity and alternatively discusses the Rooker-Feldman and Younger doctrines. It also recommends denying leave to amend because amendment could not cure the jurisdictional defects.

CASE DETAILS

COURT	United States District Court for the Northern District of Texas, Dallas Division
WRITING FOR THE COURT	Rebecca
JURISDICTION	United States District Court for the Northern District of Texas, Dallas Division
DECIDED	January 27, 2026
DOCKET	No. 3:25-cv-1325-S-BT
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a pro se federal action challenging Texas state-court proceedings concerning child-support payments and requested that the federal court close the state-court case. The magistrate judge issued findings, conclusions, and a recommendation that the district court dismiss the action for lack of subject-matter jurisdiction.
STANDARD OF REVIEW	Subject-matter jurisdiction must be examined sua sponte and may be dismissed at any time under Federal Rule of Civil Procedure 12(h)(3).
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Sherita Everetts v. Ken Paxton

TOPICS

- subject matter jurisdiction
- child support
- family law procedure
- civil procedure
- federalism

PRACTICE AREAS

civil procedure

constitutional law

family law

QUESTIONS PRESENTED

1. Whether the federal court had subject-matter jurisdiction over claims against the Texas Attorney General in his official capacity.
2. Whether sovereign immunity under the Eleventh Amendment barred the action.
3. Whether the Rooker-Feldman doctrine deprived the federal district court of jurisdiction over a challenge to a state-court decision concerning child support.
4. Whether Younger abstention would require the federal court to abstain if the relevant state-court proceedings remained pending.
5. Whether Everetts should be granted leave to amend.

HOLDINGS

1. The court construed the complaint as asserting official-capacity claims against Ken Paxton and recommended dismissal for lack of subject-matter jurisdiction because Texas had not waived its sovereign immunity and Congress had not clearly abrogated it.
2. The court recommended dismissal because a federal court must examine its subject-matter jurisdiction sua sponte and must dismiss whenever it determines that jurisdiction is lacking.
3. The court concluded that Rooker-Feldman would bar Everetts's claims because obtaining the requested relief would require the federal district court to overturn the state court's decision to reopen the child-support case, and recommended dismissal without prejudice on that alternative ground.
4. If the relevant state proceedings were still pending, the court concluded that Younger abstention would require the federal court to abstain because the requested relief would interfere with an ongoing state proceeding, child-support matters implicate important state interests, and Everetts could raise constitutional challenges through the state proceedings and appellate process.
5. Leave to amend was not required because Everetts could not cure the jurisdictional defect through an amended complaint.

KEY QUOTATIONS

“A federal court “is duty-bound to examine its subject-matter jurisdiction sua sponte.”” (at 2)

“If the court determines at any time that it lacks subject matter jurisdiction, the court must dismiss the action.” (at 2)

“The Rooker-Feldman doctrine divests federal district courts of jurisdiction over “cases brought by state-court losers complaining of injuries caused by state-court judgments rendered before the district court proceedings commenced and inviting district court review and rejection of those judgments.”” (at 4)

FACTUAL BACKGROUND

Sherita Everetts challenged Texas state-court proceedings concerning child-support payments, alleging that the matter had been improperly transferred to or reopened in state court. The child-support payment plan attached to her complaint stated that she owed \$2,828.32 when she filed suit. She asked the federal court to close the state-court case.

PROCEDURAL HISTORY

Everetts filed a one-page handwritten complaint on May 28, 2025, alleging that a child-support case had been improperly transferred to or reopened in Texas state court and asserting fraud by the Texas Attorney General. The magistrate judge construed the claims as against Ken Paxton in his official capacity, concluded that sovereign immunity deprived the court of jurisdiction, and alternatively determined that Rooker-Feldman and, if the state proceedings remained pending, Younger abstention supported dismissal. The recommendation further concluded that leave to amend was unnecessary because amendment could not cure the jurisdictional defects.

DISPOSITION

other

CASES CITED

- *Burciaga v. Deutsche Bank Nat'l Tr. Co.*, 871 F.3d 380, 384 n.4 (5th Cir. 2017)
- *Ins. of Ir., Ltd. v. Compagnie des Bauxites de Guinee*, 456 U.S. 694, 702 (1982)
- *Moore v. La. Bd. of Elementary & Secondary Educ.*, 743 F.3d 959, 963 (5th Cir. 2014)
- *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 284, 291 (2005)
- *Rooker v. Fidelity Tr. Co.*, 263 U.S. 413, 416 (1923)
- *D.C. Court of Appeals v. Feldman*, 460 U.S. 462, 482 (1983)
- *Smith v. Mortg. Elec. Reg. Sys., Inc.*, 2019 WL 4648263, at *4 (N.D. Tex. Aug. 30, 2019)
- *MAPP Constr., LLC v. M&R Drywall, Inc.*, 294 F. App'x 89, 92 (5th Cir. 2008)
- *Atl. Coast Line R.R. Co. v. Brotherhood of Locomotive Eng'rs*, 398 U.S. 281, 295 (1970)
- *Johnson v. De Grandy*, 512 U.S. 997, 1005-06 (1994)
- *Jordaan v. Hall*, 275 F. Supp. 2d 778, 788 (N.D. Tex. Aug. 7, 2003)
- *Hale v. Harney*, 786 F.2d 688, 691 (5th Cir. 1986)
- *Brown v. Crawford*, 2008 WL 508390, at *3 (N.D. Tex. Feb. 25, 2008)
- *Centifanti v. Nix*, 865 F.2d 1422, 1430 (3d Cir. 1989)
- *Davis v. Dallas Cnty. Tex. Child Support Enf't Agency*, 2021 WL 1111164, at *4 (N.D. Tex. Mar. 2, 2021)
- *Martin v. Taylor Cnty.*, 2023 WL 11052640, at *6 (N.D. Tex. Dec. 22, 2023)
- *Bice v. La. Pub. Def. Bd.*, 677 F.3d 712, 716 (5th Cir. 2012)
- *Middlesex Cnty. Ethics Comm. v. Garden State Bar Ass'n*, 457 U.S. 423, 432 (1982)
- *Younger v. Harris*, 401 U.S. 37 (1971)
- *Word of Faith World Outreach Ctr. Church v. Morales*, 986 F.2d 962, 966 (5th Cir. 1993)
- *Thomas v. State*, 294 F. Supp. 3d 576, 593 (N.D. Tex. 2018)

- McKenzie v. Texas, 2023 WL 4828404, at *5 (N.D. Tex. June 16, 2023)
- Moore v. Sims, 442 U.S. 415, 434 (1979)
- Crouch v. Crouch, 566 F.2d 486, 487 (5th Cir. 1978)
- Ellsworth v. Dallas Texas Dep't of Veteran Affs., --- F.4th ---, 2025 WL 3239806, at *5 (5th Cir. Nov. 20, 2025)
- Sanders v. Deluxe, 2025 WL 3491013, at *3 (N.D. Tex. Nov. 14, 2025)
- Brewster v. Dretke, 587 F.3d 764, 767-68 (5th Cir. 2009)
- Douglass v. United Services Automobile Ass'n, 79 F.3d 1415, 1417 (5th Cir. 1996)

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