

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MAINE

Justin A. Tahai v. Matt Pollack et al.

Tahai · No. 2:26-cv-00211-LEW · Decided May 13, 2026

SUMMARY

A United States Magistrate Judge recommends dismissal of Justin A. Tahai’s in forma pauperis complaint against the Clerk of the Maine Supreme Judicial Court and unidentified state court employees. The complaint alleges that he was denied meaningful appellate review in a child custody matter because he could not afford a transcript. The recommended decision concludes that the requested relief is barred by sovereign immunity and that Tahai lacks standing to seek prospective injunctive relief based on speculative future harm.

CASE DETAILS

COURT	United States District Court for the District of Maine
WRITING FOR THE COURT	Karen Frink Wolf
JURISDICTION	United States District Court for the District of Maine
DECIDED	May 13, 2026
DOCKET	2:26-cv-00211-LEW
DISPOSITION	other
PROCEDURAL POSTURE	Recommended decision after preliminary review of an in forma pauperis complaint under 28 U.S.C. § 1915(e)(2)(B).
STANDARD OF REVIEW	Preliminary screening under 28 U.S.C. § 1915(e)(2)(B); the court must dismiss an in forma pauperis action that is frivolous or malicious, fails to state a claim, or seeks monetary relief from an immune defendant. A party may seek de novo review of specified objections under 28 U.S.C. § 636(b)(1)(B).
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Justin A. Tahai v. Matt Pollack et al.

TOPICS

- sovereign immunity
- eleventh amendment immunity
- standing
- injunctions
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the Ex parte Young exception to Eleventh Amendment sovereign immunity permits a plaintiff to obtain declaratory relief against state officials for alleged constitutional violations that occurred in the past.
2. Whether a plaintiff who alleges only past harm and speculates about a possible future appeal has standing to seek prospective injunctive relief under Ex parte Young.
3. Whether the complaint should be dismissed during preliminary review under 28 U.S.C. § 1915(e)(2)(B).

HOLDINGS

1. The Ex parte Young exception to sovereign immunity does not permit a declaration that state officials violated federal rights in the past; it applies only when the alleged violation of federal law is ongoing.
2. Past constitutional injury, without a sufficient likelihood of a similar future injury, does not establish standing to seek prospective injunctive relief.
3. The complaint should be dismissed under 28 U.S.C. § 1915(e)(2)(B) because the requested relief is barred by sovereign-immunity principles and the plaintiff lacks standing for prospective injunctive relief.

KEY QUOTATIONS

“The lingering effects of [a] discrete past action do not convert it into an ongoing violation.”

“To justify an injunction when the incident now lies in the past, there must be a real and immediate threat of future legal violations rather than an abstract or conjectural one.”

FACTUAL BACKGROUND

Tahai alleged that he was unable to pursue an appeal from a state trial-court child-custody decision because he could not afford the underlying transcript and was not provided a timely and practical substitute record. He sued the Maine Supreme Judicial Court clerk and unidentified state court employees in their official capacities, seeking a declaration that his constitutional rights had been violated and a prospective injunction requiring access to an adequate appeal record without prohibitive prepayment.

PROCEDURAL HISTORY

Tahai was granted leave to proceed in forma pauperis and filed a complaint against state court officials alleging due process and access-to-court violations arising from his inability to obtain a transcript or adequate substitute record for an appeal in a child-custody matter. The magistrate judge recommended that the district court dismiss the complaint under 28 U.S.C. § 1915(e)(2)(B), subject to objections and de novo review by the district court.

DISPOSITION

other

CASES CITED

- *Ex parte Young*, 209 U.S. 123 (1908)
- *Cotto v. Campbell*, 126 F.4th 761, 768 (1st Cir. 2025)
- *K.A. v. Barnes*, 134 F.4th 1067, 1075-76 (10th Cir. 2025)
- *Merritts v. Richards*, 62 F.4th 764, 771-72 (3d Cir. 2023)
- *Asociación de Periodistas de P.R. v. Mueller*, 680 F.3d 70, 84-85 (1st Cir. 2012)

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