

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO

American Express National Bank v. Samuel D. Williams, et al.

American Express National Bank v. Williams · No. 2:26-cv-00005 · Decided January 30, 2026

SUMMARY

The United States District Court for the Southern District of Ohio remanded American Express National Bank’s state-law breach-of-contract collection action for lack of federal subject-matter jurisdiction. The court denied the defendant’s recusal request and in forma pauperis motion, designated him a vexatious litigator, and imposed prefiling restrictions on future complaints or notices of removal. The Clerk was directed to terminate the case.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio
WRITING FOR THE COURT	Sarah D. Morrison
JURISDICTION	United States District Court for the Southern District of Ohio
DECIDED	January 30, 2026
DOCKET	2:26-cv-00005
DISPOSITION	remanded
PROCEDURAL POSTURE	Defendant Samuel D. Williams, proceeding pro se, filed a third notice of removal after the court had twice remanded earlier removal attempts for lack of subject matter jurisdiction. He also requested recusal of the district judge and leave to proceed in forma pauperis.
STANDARD OF REVIEW	Recusal under 28 U.S.C. § 455 is evaluated under the objective appearance-of-impartiality standard and the actual-bias standard; removal jurisdiction is reviewed for the existence of subject matter jurisdiction; the court exercised its inherent authority to impose prefiling restrictions on vexatious litigants.
PRECEDENTIAL VALUE	Nonprecedential district court order
PARTIES	Samuel D. Williams v. American Express National Bank

TOPICS

- subject matter jurisdiction
- sanctions
- injunctions
- civil procedure
- breach of contract

PRACTICE AREAS

federal civil procedure

removal jurisdiction

judicial recusal

vexatious litigant restrictions

consumer credit litigation

QUESTIONS PRESENTED

1. Whether the district judge was required to recuse under 28 U.S.C. § 455 based on alleged partiality, impropriety, bias, prejudice, or personal knowledge.
2. Whether the third notice of removal established federal-question or diversity subject matter jurisdiction.
3. Whether the court could designate Williams a vexatious litigant and impose prefiling restrictions after repeated improper removal attempts.
4. Whether Williams should be permitted to proceed in forma pauperis.

HOLDINGS

1. Recusal was not required because Williams's disagreement with prior remand rulings and the court's prompt identification of jurisdictional defects did not demonstrate extrajudicial bias, actual prejudice, or such a high degree of favoritism or antagonism that fair judgment was impossible.
2. The action was not removable on the basis of federal-question jurisdiction because the complaint asserted only Ohio-law breach-of-contract claims.
3. The action was not removable on the basis of diversity jurisdiction because Williams and Strategic Auto Parts LLC were both Ohio citizens.
4. The court had authority to designate Williams a vexatious litigant and enjoin him from filing new complaints or notices of removal unless he either obtained an attorney's certification that the filing was non-frivolous or submitted the proposed filing for prefiling court review.
5. Williams's motion to proceed in forma pauperis was denied as moot after the case was remanded and terminated.

KEY QUOTATIONS

“A judge’s opinions are grounds for recusal only where they “derive[] from an extrajudicial source” or “they reveal such a high degree of favoritism or antagonism as to make fair judgment impossible.”” (Section I)

“Federal courts have recognized their own inherent power and constitutional obligation to protect themselves from conduct that impedes their ability to perform their Article III functions and to prevent litigants from encroaching on judicial resources that are legitimately needed by others.” (Section III)

FACTUAL BACKGROUND

American Express National Bank sued Williams and Strategic Auto Parts LLC in Ohio state court to collect an unpaid credit-card balance. The complaint asserted two breach-of-contract claims under Ohio law. Williams attempted removal three times, relying on federal-question and diversity theories and, in the third notice, arguing that a change in the bank's counsel showed that a federally regulated national bank was the plaintiff of record.

Both defendants were Ohio citizens, and the third notice did not cure the jurisdictional defects identified in the earlier removal orders.

PROCEDURAL HISTORY

American Express National Bank filed an Ohio state-court action against Samuel D. Williams and Strategic Auto Parts LLC to collect an unpaid credit-card balance based on two Ohio breach-of-contract claims. Williams previously removed the action twice, and the federal court remanded both times for lack of federal-question and diversity jurisdiction, warning that further improper removal could result in sanctions. On the third removal, the court denied recusal, denied in forma pauperis status as moot, remanded the case to the Fairfield County Municipal Court, designated Williams a vexatious litigator, imposed prefilng conditions, and directed the Clerk to terminate the case.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The case was remanded to the Fairfield County Municipal Court. Williams was enjoined from filing any new complaints or notices of removal unless he either submits a certification from an attorney licensed in the federal court or Ohio stating that the filing is non-frivolous, or tenders the proposed filing for prior court review.

CASES CITED

- *Liteky v. United States*, 510 U.S. 540, 555-56 (1994)
- *Garver v. United States*, 846 F.2d 1029, 1031 (6th Cir. 1988)
- *Johnson v. Univ. Hous.*, No. 2:06-cv-628, 2007 WL 4303728, at *12 (S.D. Ohio Dec. 10, 2007)

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO EASTERN DIVISION AMERICAN EXPRESS NATIONAL BANK, Plaintiff, Case No. 2:26-cv-00005 Chief Judge Sarah D. Morrison v. Magistrate Judge Kimberly A. Jolson SAMUEL D. WILLIAMS, et al.,; Defendant. ORDER American Express National Bank filed suit against Samuel D. Williams and Strategic Auto Parts LLC in state court, seeking to collect an unpaid credit card balance.

(ECF No. 1-1.) Proceeding pro se, Mr. Williams first attempted to remove this case on August 14, 2025; the Court remanded the case for lack of subject matter jurisdiction on November 4, 2025. See *Am. Express Nat'l Bank v. Williams, et al.*, No. 2:25-cv-00916 (S.D. Ohio) (Watson, J.) (ECF No. 13). Less than a month later, he attempted to remove this case for a second time; the Court again remanded the case and warned him that further attempts to improperly remove a case may result in sanctions including a vexatious litigator designation.

See *Am. Express Nat'l Bank v. Williams, et al.*, No. 2:25-cv-01411 (S.D. Ohio) (Morrison, C. J.) (ECF No. 6). This matter is now before the Court on Mr. Williams' third notice of removal. (ECF No. 1.) Also pending are his requests for recusal of the Undersigned and to proceed in forma pauperis. (ECF Nos. 3, 6.)

I. RECUSAL REQUEST Mr. Williams requests that the Undersigned recuse for "the appearance of partiality or impropriety" under 28 U.S.C. § 455(a) and for "actual bias, prejudice, or personal knowledge of disputed facts" under § 455(b)(1). A judge's opinions are grounds for recusal only where they "derive[] from an extrajudicial source" or "they reveal such a high degree of favoritism or antagonism as to make fair judgment impossible." *Liteky v. United States*, 510 U.S. 540, 555, (1994).

Mere disagreement about the Court's ruling in a case is not a ground for disqualification or recusal. See *id.* at 555–56; *Garver v. United States*, 846 F.2d 1029, 1031 (6th Cir. 1988). Mr. Williams primarily takes issue with the Court's decision to remand this case "within 24 hours" of his filing his second notice of removal. (ECF No. 3, PAGEID # 83.)

In its Dec. 5, 2025 Order remanding this case for a second time, the Court found that Mr. Williams' second notice of removal failed to cure the jurisdictional deficiencies in his first notice of removal. *Am. Express Nat'l Bank*, No. 2:25-cv-01411 (ECF No. 6).

The fact that the deficiencies in Mr. Williams' second notice of removal were immediately obvious to the Court does not demonstrate any bias or partiality sufficient to require recusal. II. THIRD NOTICE OF REMOVAL As the Court explained in its prior remand Orders, this case cannot be removed on the basis of federal question jurisdiction because AENB's Complaint includes only two breach-of-contract claims under Ohio law, and it cannot be removed on the basis of diversity jurisdiction because both Mr. Williams and Strategic Auto Parts are Ohio citizens.

See *Am. Express Nat'l Bank*, No. 2:25-cv- 00916 (ECF No. 13); *Am. Express Nat'l Bank*, No. 2:25-cv-01411 (ECF No. 6). In his latest notice of removal, Mr. Williams states that AENB's original complaint was styled as "AMERICAN EXPRESS NATIONAL BANK, c/o ZWICKER & ASSOCIATES, P.C." and argues that the recent substitution of the Glennon Law Firm for Zwicker as AENB's counsel in the state court thus "makes it facially clear that a federally regulated national bank is now the Plaintiff of record, standing alone." (ECF No. 1, PAGEID # 6.)

But the fact that AENB is a national bank does not by itself justify removal. Mr. Williams has thus again failed to cure the jurisdictional deficiencies that the Court identified in his prior notices of removal. III. VEXATIOUS LITIGATOR DESIGNATION "Federal courts have recognized their own inherent power and constitutional obligation to protect themselves from conduct that impedes their ability to perform their Article III functions and to prevent litigants from encroaching on judicial resources that are legitimately needed by others." *Johnson v. Univ.*

Hous., No. 2:06- cv-628, 2007 WL 4303728, at *12 (S.D. Ohio Dec. 10, 2007) (Holschuh, J.) (citation omitted). The Sixth Circuit has upheld the imposition of prefiling restrictions on vexatious litigators. *Id.* (collecting cases). Mr. Williams failed to heed the Court's warning that further attempts to improperly remove a case to the Court may result in a vexatious litigator designation.

Based on his recognized history of improperly removing cases to this Court, Mr. Williams is **DEEMED A VEXATIOUS LITIGATOR** and **ENJOINED** from filing any new complaints or notices of removal without either (i) submitting a statement from an attorney licensed to practice in this Court or the State of Ohio certifying that the complaint or notice of removal is non-frivolous, or (ii) tendering a proposed complaint or notice of removal for review by this Court prior to filing.

IV. CONCLUSION Accordingly, for these reasons and those set forth in the Court's Nov. 4 and Dec. 5, 2025 Orders, this case is **REMANDED** to the Fairfield County Municipal Court. Mr. Williams' recusal request (ECF No. 3) is **DENIED** and his motion to proceed in forma pauperis (ECF No. 6) is **DENIED** as moot. Further, Mr. Williams is **DEEMED A VEXATIOUS LITIGATOR** and **ENJOINED** from filing any new complaints or notices of removal without either (i) submitting a statement from an attorney licensed to practice in this Court or the State of Ohio certifying that the complaint or notice of removal is non-frivolous, or (ii) tendering a proposed complaint or notice of removal for review by this Court prior to filing.

The Clerk is **DIRECTED** to **TERMINATE** this case. **IT IS SO ORDERED.** /s/ Sarah D. Morrison
SARAH D. MORRISON, CHIEF JUDGE UNITED STATES DISTRICT COURT