

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 prefilings 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)