

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
MISSISSIPPI, OXFORD DIVISION

Jessie Adams v. Sergio Jimenez

Adams · No. 3:26-cv-00014-MPM-RP · Decided March 16, 2026

SUMMARY

The United States District Court for the Northern District of Mississippi adopted a magistrate judge’s recommendation and dismissed Jessie Adams’s pro se complaint against Sergio Jimenez without prejudice. The court held that the complaint failed to state a plausible claim under 28 U.S.C. § 1915(e)(2), denied in forma pauperis status, and noted that Adams neither responded to the show-cause order nor objected to the report and recommendation.

CASE DETAILS

COURT	United States District Court for the Northern District of Mississippi, Oxford Division
WRITING FOR THE COURT	Michael P. Mills
JURISDICTION	United States District Court for the Northern District of Mississippi
DECIDED	March 16, 2026
DOCKET	3:26-cv-00014-MPM-RP
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought a pro se action and sought leave to proceed in forma pauperis. After a magistrate judge ordered Plaintiff to show cause why the action should not be dismissed for failure to state a claim, Plaintiff did not respond. The district court adopted the magistrate judge's Report and Recommendation and dismissed the complaint without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii).
STANDARD OF REVIEW	The court screened the in forma pauperis complaint under 28 U.S.C. § 1915(e)(2) and assessed whether it stated a plausible claim for relief.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Jessie Adams v. Sergio Jimenez

TOPICS

- motions to dismiss
- pleadings
- due process
- procedural due process
- civil procedure

PRACTICE AREAS

civil procedure

constitutional law

federal courts

QUESTIONS PRESENTED

1. Whether the complaint stated a plausible claim for relief sufficient to survive screening under 28 U.S.C. § 1915(e)(2).
2. Whether the complaint should be dismissed without prejudice after Plaintiff failed to respond to the order to show cause and failed to object to the Report and Recommendation.
3. Whether Plaintiff's application to proceed in forma pauperis should be denied.

HOLDINGS

1. A complaint subject to in forma pauperis screening may be dismissed sua sponte under 28 U.S.C. § 1915(e)(2)(B)(ii) when it fails to plead enough facts to state a claim for relief that is plausible on its face. Adams's conclusory allegations regarding ex parte communications, conspiracy, and due process did not satisfy that standard.
2. The complaint was dismissed without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii).

KEY QUOTATIONS

“A complaint fails to state a claim on which relief may be granted when it fails to plead “enough facts to state a claim to relief that is plausible on its face.”” (at 1)

“Conclusory allegations or legal conclusions masquerading as factual conclusions are insufficient to state a claim.” (at 1)

FACTUAL BACKGROUND

Adams filed a one-page pro se complaint alleging, without supporting facts, that Jimenez engaged in ex parte communications and conspired with others in violation of due process. The complaint asserted federal-question jurisdiction and sought more than \$400,000 in damages. Adams did not respond to the order to show cause or object to the Report and Recommendation, and both filings were returned as undeliverable.

PROCEDURAL HISTORY

Jessie Adams filed the action on January 20, 2026, together with an application to proceed in forma pauperis. Magistrate Judge Roy Percy ordered Adams to show cause by February 6, 2026, and later recommended dismissal without prejudice after Adams failed to respond; both the show-cause order and the Report and Recommendation were returned as undeliverable. Adams did not object to the Report and Recommendation, and the district court adopted it, denied the in forma pauperis application, and dismissed the complaint without prejudice.

DISPOSITION

dismissed

CASES CITED

- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Fernandez-Montez v. Allied Pilots Ass'n, 987 F.2d 278, 284 (5th Cir. 1993)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI OXFORD DIVISION JESSIE ADAMS PLAINTIFF v. No. 3:26-cv-00014-MPM-RP SERGIO JIMENEZ DEFENDANTS ORDER OF DISMISSAL This matter comes before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Roy Percy entered on February 19, 2026 [5].

The R&R recommends that the Court dismiss Plaintiff Jessie Adams’ Complaint under 28 U.S.C. § 1915(e)(2) for failure to state a claim. The Court has reviewed the record and finds that the R&R should be adopted. On January 20, 2026, Jessie Adams filed this pro se action against Sergio Jimenez. See [1].

Because Ms. Adams is seeking leave to proceed in forma pauperis [2], her complaint is subject to screening under 28 U.S.C. § 1915(e)(2), which provides for the sua sponte dismissal of the complaint if the court finds it is “frivolous or malicious” or if it “fails to state a claim on which relief may be granted.” A complaint fails to state a claim on which relief may be granted when it fails to plead “enough facts to state a claim to relief that is plausible on its face.” Bell Atl.

Corp. v. Twombly, 550 U.S. 544, 570 (2007). For the reasons stated below, the Court finds that Ms. Adams’ complaint fails to state a claim on which relief may be granted. Ms. Adams one-page complaint, in its entirety, alleges the following: “1. Upon information and belief, Defendant ex parte communications with certain individuals, 2. Defendant conspired with others in violation of due process, [and] 3.

The Basis for federal court jurisdiction is federal law. ... Plaintiff demands a sum of money estimated over \$400,000.” See [1]. This blanket assertion falls far short of a plausible claim. Ms. Adams’ provides no facts in support of her allegations that Mr. Jimenez engaged in ex parte communications and in conduct that violated her right to due process. Conclusory allegations or legal conclusions masquerading as factual conclusions are insufficient to state a claim.

Fernandez-Montez v. Allied Pilots Ass’n, 987 F.2d 278, 284 (5th Cir. 1993). On January 23, 2026, United States Magistrate Judge Roy Percy ordered Ms. Adams to show cause, no later than February 6, 2026, as to why her case should not be dismissed for failure to state a claim on which

relief may be granted. See [4]. Ms. Adams did not respond to the Order to Show Cause and the Order was returned as undeliverable.

See [6]. On February 19, 2026, United States Magistrate Judge Roy Percy issued a Report and Recommendation [5] recommending that this case be dismissed without prejudice. The R&R referred Ms. Adams to Federal Rule of Civil Procedure 72(b) for the appropriate procedure to file objections within fourteen (14) days. Ms. Adams did not object to the R&R, and it was, likewise, returned as undeliverable.

See [7]. IT IS, THEREFORE, ORDERED that: 1. The Report and Recommendation [5] is ADOPTED as the opinion of the Court; 2. Plaintiff Jessie Adams' application to proceed in forma pauperis [2] is DENIED; and 3. Plaintiff Jessie Adams' Complaint [1] is DISMISSED without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii). A separate judgment will be entered on this date, pursuant to Fed.

R. Civ. P. 58. SO ORDERED this the 16th day of March, 2026. /s/Michael P. Mills_____ UNITED STATES DISTRICT JUDGE NORTHERN DISTRICT OF MISSISSIPPI 2