

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
PENNSYLVANIA

Ardmmir Pearsall v. Unknown Police Officers

Pearsall · No. 2:26-cv-0704 · Decided February 26, 2026

SUMMARY

The United States District Court for the Eastern District of Pennsylvania grants Ardmmir Pearsall leave to proceed in forma pauperis and directs payment of the filing fee in installments under 28 U.S.C. § 1915. The court dismisses the complaint without prejudice for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii), permits Pearsall to file an amended complaint within 30 days, and explains the consequences of standing on the original complaint or failing to respond.

CASE DETAILS

COURT	United States District Court for the Eastern District of Pennsylvania
WRITING FOR THE COURT	Joseph F. Leeson, Jr.
JURISDICTION	United States District Court for the Eastern District of Pennsylvania
DECIDED	February 26, 2026
DOCKET	2:26-cv-0704
DISPOSITION	other
PROCEDURAL POSTURE	A pro se prisoner filed a civil-rights complaint and moved to proceed in forma pauperis. The district court granted in forma pauperis status, screened the complaint under 28 U.S.C. § 1915(e)(2)(B)(ii), dismissed it without prejudice for failure to state a claim, and granted leave to amend.
STANDARD OF REVIEW	The complaint was screened under 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim.
PRECEDENTIAL VALUE	nonprecedential district court order

TOPICS

- section 1983
- prisoners rights
- pleadings
- motions to dismiss
- civil procedure

PRACTICE AREAS

- civil rights
- prisoner civil rights
- civil procedure
- pleadings

QUESTIONS PRESENTED

1. Whether Pearsall should be granted leave to proceed in forma pauperis.
2. Whether the complaint should be dismissed during statutory screening for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii).
3. Whether Pearsall should be granted leave to amend and be required to file a complete amended complaint identifying the defendants and the basis for each claim.
4. Whether a future decision to stand on the complaint, or failure to respond to the order, could support a final dismissal without requiring analysis under the Poulis factors.

HOLDINGS

1. Pearsall is granted leave to proceed in forma pauperis, but remains responsible for paying the full \$350 filing fee in installments pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of the case.
2. The complaint is dismissed without prejudice for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).
3. Pearsall may file an amended complaint within thirty days, and the amended complaint must be complete, identify all defendants in the caption and body, state the basis for each claim, and provide available identifying information.
4. If Pearsall elects to stand on the complaint, or fails to respond to the order, the court may issue a final dismissal based on that election or inferred intent; the six-factor Poulis test is not required for a dismissal based on a plaintiff's decision to stand on the complaint.

KEY QUOTATIONS

“The Complaint is DISMISSED without prejudice for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons stated in the Court’s Memorandum.” (at 2)

“If Pearsall does not wish to amend his Complaint and instead intends to stand on his Complaint as originally pled, he may file a notice with the Court within thirty (30) days of the date of this Order stating that intent, at which time the Court will issue a final order dismissing the case.” (at 3)

“If Pearsall fails to file any response to this Order, the Court will conclude that Pearsall intends to stand on his Complaint and will issue a final order dismissing this case.” (at 4)

FACTUAL BACKGROUND

Ardmmir Pearsall, a prisoner proceeding pro se, filed a civil-rights complaint against unknown police officers. He submitted a motion to proceed in forma pauperis and a prisoner trust-fund account statement. The court dismissed the complaint without prejudice for failure to state a claim and provided instructions for identifying defendants and filing an amended complaint.

PROCEDURAL HISTORY

Pearsall filed a prisoner civil-rights complaint, a motion to proceed in forma pauperis, and a prisoner trust-fund account statement. The court granted in forma pauperis status, deemed the complaint filed, dismissed it without prejudice under the statutory screening provision, and allowed Pearsall thirty days to file a complete amended complaint. The court stated that failure to respond would result in a later final dismissal after treating the inaction as an intent to stand on the complaint.

DISPOSITION

other

CASES CITED

- Weber v. McGrogan, 939 F.3d 232, 241 (3d Cir. 2019)
- Borelli v. City of Reading, 532 F.2d 950, 951 n.1 (3d Cir. 1976)
- In re Westinghouse Sec. Litig., 90 F.3d 696, 703-04 (3d Cir. 1996)
- Poulis v. State Farm Fire & Cas. Co., 747 F.2d 863, 868 (3d Cir. 1984)
- Elansari v. Altria, 799 F. App'x 107, 108 n.1 (3d Cir. 2020) (per curiam)
- Dickens v. Danberg, 700 F. App'x 116, 118 n.2 (3d Cir. 2017) (per curiam)
- Baker v. Accts. Receivables Mgmt., Inc., 292 F.R.D. 171, 175 (D.N.J. 2013)