

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

Huston v. New York City

No. 25-CV-4272 (EK)(JAM) (E.D.N.Y. Feb. 26, 2026) · No. 25-CV-4272 (EK)(JAM) · Decided February 26, 2026

SUMMARY

The Eastern District of New York granted Jessica Huston's motion to proceed in forma pauperis but dismissed without prejudice her Section 1983 complaint alleging warrantless surveillance by New York City officials. The court held that she failed to allege a municipal policy or custom and did not identify any individual official personally involved in the alleged constitutional violations. The court granted leave to amend within thirty days and denied in forma pauperis status for any appeal.

CASE DETAILS

COURT	United States District Court for the Eastern District of New York
WRITING FOR THE COURT	Eric Komitee
JURISDICTION	United States District Court for the Eastern District of New York
DECIDED	February 26, 2026
DOCKET	25-CV-4272 (EK)(JAM)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought a pro se civil-rights action under 42 U.S.C. § 1983 alleging warrantless surveillance in violation of the Fourth Amendment and moved to proceed in forma pauperis. The district court granted in forma pauperis status but dismissed the complaint without prejudice under 28 U.S.C. § 1915(e)(2)(B) for failure to state a claim.
STANDARD OF REVIEW	The court reviewed the complaint under the pleading standard requiring facts sufficient to state a claim that is plausible on its face and under the screening requirements of 28 U.S.C. § 1915(e)(2)(B). Well-pleaded, nonconclusory factual allegations were accepted as true, but legal conclusions were not.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Jessica Huston v. New York City

TOPICS

section 1983

municipal liability

pleadings

motions to dismiss

civil procedure

PRACTICE AREAS

civil rights

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QUESTIONS PRESENTED

1. Whether the complaint stated a municipal-liability claim under 42 U.S.C. § 1983 against New York City.
2. Whether the complaint stated a § 1983 claim against individual City officials when it did not identify any particular official or allege each defendant's personal involvement.
3. Whether the complaint could proceed against the New York City Police Department as a separate entity.

HOLDINGS

1. The complaint failed to state a § 1983 claim against New York City because it did not allege that the asserted injury resulted from a municipal custom or policy.
2. The complaint failed to state a claim against individual officials because it did not identify the officials allegedly responsible for the surveillance or differentiate their involvement in the alleged constitutional deprivation.
3. The claim could not proceed against the New York City Police Department because the Department lacks the capacity to be sued separately from the City.

KEY QUOTATIONS

“Plaintiff has not stated a claim for relief under Section 1983.”

“But her claim is deficient either way.”

“Her Section 1983 claim is therefore deficient and must be dismissed.”

FACTUAL BACKGROUND

Huston alleged that, beginning around 2020 or 2021, an unknown civilian told City police that she was engaged in criminal activity, after which unnamed City officials allegedly followed and watched her. She further alleged that City officials or employees tapped her phone and computer and could see her behind closed doors in her personal space, despite the absence of warrants under her name. She sought \$235 million in damages.

PROCEDURAL HISTORY

Huston filed a complaint against New York City alleging that unidentified City officials or employees surveilled her vehicle, residence, phone, computer, and other personal devices without warrants. The court granted her motion to proceed in forma pauperis, dismissed the complaint without prejudice, and granted thirty days to amend. The court warned that failure to amend would result in dismissal with prejudice and directed that no summons issue at that time.

DISPOSITION

dismissed

CASES CITED

- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Kiobel v. Royal Dutch Petroleum Co., 621 F.3d 111, 124 (2d Cir. 2010)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Ceara v. Deacon, 916 F.3d 208, 213 (2d Cir. 2019)
- Traguth v. Zuck, 710 F.2d 90, 95 (2d Cir. 1983)
- City of Oklahoma City v. Tuttle, 471 U.S. 808, 817 (1985)
- Ying Li v. City of New York, 246 F. Supp. 3d 578, 598 (E.D.N.Y. 2017)
- Wright v. Smith, 21 F.3d 496, 501 (2d Cir. 1994)
- Ximines v. George Wingate High School, 516 F.3d 156, 160 (2d Cir. 2008)
- Coppedge v. United States, 369 U.S. 438, 444-45 (1962)

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