

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WISCONSIN

Kelly Ross v. Joy Campanelli, Genine D. Edwards, and Brian
Gottlieb

No. 26-cv-272-wmc (W.D. Wis. May 20, 2026) · No. No. 26-cv-272-wmc · Decided May 20, 2026

SUMMARY

The United States District Court for the Western District of Wisconsin dismissed Kelly Ross’s pro se complaint with prejudice under 28 U.S.C. § 1915(e)(2)(B). The court found that the complaint failed to state a claim and was duplicative and malicious, noting apparent judicial immunity, lack of connection to the district, an undeliverable address, and similar nationwide filings. The court denied pending motions, certified that an appeal would not be taken in good faith, and directed the clerk to return similar future filings by Ross unfiled.

CASE DETAILS

COURT	United States District Court for the Western District of Wisconsin
WRITING FOR THE COURT	William M. Conley
JURISDICTION	United States District Court for the Western District of Wisconsin
DECIDED	May 20, 2026
DOCKET	No. 26-cv-272-wmc
DISPOSITION	dismissed
PROCEDURAL POSTURE	A pro se plaintiff proceeding without prepayment of the filing fee filed a one-page complaint alleging only that defendants had ex parte communication. The district court screened the complaint under 28 U.S.C. § 1915(e)(2)(B) and dismissed the action with prejudice as duplicative and malicious.
STANDARD OF REVIEW	De novo screening under 28 U.S.C. § 1915(e)(2)(B), accepting well-pleaded allegations as true and assessing whether the complaint states a plausible claim for relief; dismissal and docket-management restrictions are subject to the court's inherent authority and broad discretion.
PRECEDENTIAL VALUE	nonprecedential district court opinion
PARTIES	Kelly Ross v. Joy Campanelli, Genine D. Edwards, Brian Gottlieb

TOPICS

civil procedure pleadings motions to dismiss sanctions

PRACTICE AREAS

civil procedure federal courts in forma pauperis litigation judicial immunity abusive litigation

QUESTIONS PRESENTED

1. Whether the one-sentence complaint stated a plausible claim for relief under the applicable pleading standards.
2. Whether the court should grant leave to amend a deficient pro se complaint.
3. Whether the action should be dismissed with prejudice as duplicative and malicious under 28 U.S.C. § 1915.
4. Whether the court could direct the clerk to return unfiled similar future actions filed by the plaintiff.

HOLDINGS

1. The complaint failed to state a plausible claim for relief because it consisted of a bare assertion that defendants had engaged in ex parte communication without supporting factual allegations.
2. Leave to amend was properly denied because amendment would not cure the apparent judicial immunity, lack of connection to the district, fictitious or undeliverable address, and duplicative and abusive nature of the action.
3. The action was properly dismissed with prejudice as duplicative and malicious because it appeared to have been filed to harass defendants and waste judicial resources.
4. The court could direct the clerk to return unfiled any similar new civil action filed by Ross pursuant to the procedure recognized in *Support Systems International v. Mack*.

KEY QUOTATIONS

“Because plaintiff is proceeding without prepayment of the filing fee, the court must screen the complaint and dismiss any portion that is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks money damages from a defendant who is immune from such relief.”

“Because the complaint was plainly filed for the improper purpose of harassing the defendants while wasting scarce judicial resources, this action will be dismissed with prejudice as duplicative and malicious.”

“Every paper filed . . . no matter how repetitious or frivolous, requires some portion of the institution’s limited resources. A part of the Court’s responsibility is to see that these resources are allocated in a way that promotes the interests of justice.”

FACTUAL BACKGROUND

The plaintiff filed a one-page pro se complaint alleging only that the defendants had engaged in ex parte communication. The complaint supplied no additional facts, and correspondence sent to the plaintiff was

returned as undeliverable. The court found that the same bare-bones complaint had been filed in at least 38 other federal district courts and concluded that this action was part of a pattern of duplicative and potentially fraudulent filings.

PROCEDURAL HISTORY

Ross filed the complaint in the Western District of Wisconsin and proceeded in forma pauperis. During screening, the court found the complaint factually insufficient, determined that the action appeared duplicative and malicious, denied leave to amend, dismissed the case with prejudice, denied pending motions, certified that an appeal would not be taken in good faith, and directed the clerk to return unfiled any similar future civil action filed by Ross.

DISPOSITION

dismissed

CASES CITED

- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2006)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555 (2007)
- Felton v. City of Chicago, 827 F.3d 632, 636 (7th Cir. 2016)
- Dawson v. Newman, 419 F.3d 656, 660 (7th Cir. 2005)
- Ross v. Campanelli, No. 3:26-cv-70, 2026 WL 908933, at *1 n.1 (N.D. Miss. Apr. 2, 2026)
- Adams v. Jimenez, No. 9:25-cv-68, 2026 WL 1288272, at *1 (M.D. Fla. Apr. 22, 2026)
- Montgomery v. Davis, 362 F.3d 956, 957 (7th Cir. 2004)
- In re McDonald, 489 U.S. 180, 184 (1989)
- Thompson v. Taylor, 473 F. App'x 507, 509 (7th Cir. 2012), 2012 WL 1035718, at *2
- Hoskins v. Dart, 633 F.3d 541, 543 (7th Cir. 2011)
- Lindell v. McCallum, 352 F.3d 1107, 1109 (7th Cir. 2003)
- Daker v. Ward, 999 F.3d 1300, 1308 (11th Cir. 2021)
- Pittman v. Moore, 980 F.2d 994, 995 (5th Cir. 1993)
- Support Systems International v. Mack, 45 F.3d 185 (7th Cir. 1995)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WISCONSIN KELLY ROSS, Plaintiff, v. OPINION AND ORDER JOY CAMPANELLI, 26-cv-272-wmc GENINE D. EDWARDS, and BRIAN GOTTLIEB, Defendants. A plaintiff calling herself Kelly Ross has filed a one-page, pro se complaint against the defendants, alleging in one unadorned sentence that they “had ex parte communication.” (Dkt. #1.)

Plaintiff does not provide any other details or relevant facts. Because plaintiff is proceeding without prepayment of the filing fee, the court must screen the complaint and dismiss any portion that is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks money damages from a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2)(B).

Pleadings filed by pro se litigants are held to a less stringent standard. *Erickson v. Pardus*, 551 U.S. 89, 94 (2007). Even so, the complaint and this lawsuit will be dismissed with prejudice for the reasons set forth below. **OPINION** To begin, plaintiff's complaint offers no more than "naked assertions devoid of further factual enhancement," and fails to state a claim.

Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2006). While courts construe pro se complaints liberally, see *Erickson*, 551 U.S. at 94, pro se plaintiffs still must provide enough facts to support a plausible claim for relief. *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007).

Although the Seventh Circuit has cautioned against dismissing a pro se plaintiff's case without giving the plaintiff a chance to amend the complaint, *Felton v. City of Chicago*, 827 F.3d 632, 636 (7th Cir. 2016), the court will not grant leave to amend in this case for several reasons.

First, it appears that defendants are judges who are immune from suit, *Dawson v. Newman*, 419 F.3d 656, 660 (7th Cir. 2005), and plaintiff alleges no facts showing that immunity would not apply. Second, plaintiff purports to have an address in Houston, Texas, but the envelope has a New York postmark and there is no hint of a connection to this district.

Third, the plaintiff's address appears to be fictitious, as court correspondence to plaintiff has been returned undeliverable. Fourth, a PACER search shows that a plaintiff identified as "Kelly Ross" has filed this same bare-bones complaint in at least 38 other district courts across the country, signaling that this duplicative action was filed by an abusive litigant.

See *Ross v. Campanelli*, No. 3:26-cv-70, 2026 WL 908933, at *1 n.1 (N.D. Miss. Apr. 2, 2026) (listing actions with identical complaints filed by Ross). Indeed, it appears the complaint is part of a larger trend of malicious filings in the federal courts. See *Adams v. Jimenez*, No. 9:25-cv-68, 2026 WL 1288272, at *1 (M.D. Fla. Apr. 22, 2026) (noting the "slew of materially similar actions" filed nationally by fictitious plaintiffs of various names, and which appear to have been instigated by an individual named Feifei Gu).

The court has inherent authority to manage its docket and protect its finite resources. *Montgomery v. Davis*, 362 F.3d 956, 957 (7th Cir. 2004) ("Every paper filed... no matter how repetitious or frivolous, requires some portion of the institution's limited resources. A part of the Court's responsibility is to see that these resources are allocated in a way that promotes the interests of justice.") (quoting *In re McDonald*, 489 U.S. 180, 184 (1989)).

The court has broad discretion to exercise this authority by dismissing a case and/or restricting future filings by an abusive litigant whose allegations are fraudulent. *Thompson v. Taylor*, 473 F. App'x 507, 509, 2012 WL 1035718, at *2 (7th Cir. March 29, 2012) (citing *Hoskins v. Dart*, 633 F.3d 541, 543 (7th Cir. 2011)).

Because the complaint was plainly filed for the improper purpose of harassing the defendants while wasting scarce judicial resources, this action will be dismissed with prejudice as duplicative and malicious. See *Lindell v. McCallum*, 352 F.3d 1107, 1109 (7th Cir. 2003) (A “malicious” case is one that is “intended to harass.”); see also *Daker v. Ward*, 999 F.3d 1300, 1308 (11th Cir.

2021) (“[A] plaintiff’s duplicative complaint is an abuse of the judicial process and is properly dismissed” as malicious under 28 U.S.C. § 1915.); *Pittman v. Moore*, 980 F.2d 994, 995 (5th Cir. 1993) (“[I]t is ‘malicious’ for a pauper to file a lawsuit that duplicates allegations of another pending federal lawsuit by the same plaintiff.”). ORDER IT IS ORDERED that: 1) This action is DISMISSED with prejudice as duplicative and malicious.

2) All pending motions are DENIED. 3) The court certifies that any appeal from this order is not taken in good faith, 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a)(3). 4) Pursuant to the procedure set forth in *Support Systems International v. Mack*, 45 F.3d 185 (7th Cir. 1995), the clerk of court to return unfiled any similar new civil action that “Kelly Ross” might file.

Entered the 20th day of May, 2026. BY THE COURT /s/

WILLIAM M. CONLEY District Judge