

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Latisa Cristine Micheaux, et al. v. American Credit Acceptance, et al.

Case No. 24-1102-DDC-BGS (D. Kan. Jan. 27, 2026) · No. 24-1102-DDC-BGS · Decided January 27, 2026

SUMMARY

The United States District Court for the District of Kansas overruled plaintiffs’ objection seeking to vacate an order compelling arbitration, concluding that the court had federal-question jurisdiction based on the amended complaint’s federal claims. The court denied as moot plaintiffs’ request for a ruling, warned that future frivolous filings could be summarily denied, and continued the administrative closure of the case pending arbitration.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of Kansas                                                                                                                                                                                                                                                                                                                                                |
| WRITING FOR THE COURT | Daniel D. Crabtree                                                                                                                                                                                                                                                                                                                                                                                     |
| JURISDICTION          | United States District Court for the District of Kansas                                                                                                                                                                                                                                                                                                                                                |
| DECIDED               | January 27, 2026                                                                                                                                                                                                                                                                                                                                                                                       |
| DOCKET                | 24-1102-DDC-BGS                                                                                                                                                                                                                                                                                                                                                                                        |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                                                                                  |
| PROCEDURAL POSTURE    | Plaintiffs objected to the court's prior order compelling the case to proceed in arbitration and sought to vacate that order, arguing that the court lacked subject matter jurisdiction. Plaintiffs also filed a request demanding a ruling on their objection. The district court overruled the objection, denied the request as moot, and left the case administratively closed pending arbitration. |
| STANDARD OF REVIEW    | The court reviewed plaintiffs' objection to its prior order and independently considered whether subject matter jurisdiction existed based on the allegations of the Amended Complaint.                                                                                                                                                                                                                |
| PRECEDENTIAL VALUE    | unpublished district court memorandum and order                                                                                                                                                                                                                                                                                                                                                        |

TOPICS

- subject matter jurisdiction
- arbitration
- civil procedure

PRACTICE AREAS

## QUESTIONS PRESENTED

1. Whether the district court had federal-question subject matter jurisdiction based on plaintiffs' Amended Complaint alleging violations of federal law.
2. Whether plaintiffs' objection to the prior arbitration order should be sustained or that order vacated for lack of jurisdiction.
3. Whether plaintiffs' request for an immediate ruling should be denied as moot after the court ruled on the objection.

## HOLDINGS

1. The district court had federal-question jurisdiction because plaintiffs' Amended Complaint alleged violations of federal law, even though the pleading did not adequately establish diversity jurisdiction.
2. The objection to the prior order compelling arbitration and staying and administratively closing the case was overruled because plaintiffs failed to establish that the court lacked jurisdiction or otherwise showed grounds to vacate the order.
3. Plaintiffs' request for a ruling on their objection was denied as moot because the court ruled on the objection in the memorandum and order.

## KEY QUOTATIONS

*“a federal court has a virtually unflagging obligation to assert jurisdiction where it has that authority.”*  
(Opinion text)

*“The court may deny summarily any future filings that fail to show good cause to reopen this case—after those arbitration proceedings conclude.”* (Opinion text)

## FACTUAL BACKGROUND

Plaintiffs filed an action alleging violations of federal law, including claims apparently invoking the Fair Credit Reporting Act, and asserted federal-question and diversity jurisdiction. The Amended Complaint did not provide sufficient information to establish diversity jurisdiction, but it alleged federal-law violations. The court had previously compelled arbitration and stayed and administratively closed the case pending arbitration.

## PROCEDURAL HISTORY

The court previously ordered the parties to arbitrate and stayed and administratively closed the case pending the result of arbitration. Plaintiffs then filed an objection and demand to vacate that order, followed by a verified judicial notice and command for ruling. The court rejected the jurisdictional objection, held the request for a ruling moot because the court had ruled on the objection, and continued the administrative closure pending arbitration.

## DISPOSITION

#### CASES CITED

- Hall v. Bellmon, 935 F.2d 1106, 1110 (10th Cir. 1991)
- Mata v. Lynch, 576 U.S. 143, 144 (2015)

#### OPINION

Micheaux

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF KANSAS

LATISA CRISTINE MICHEAUX, et al., Plaintiffs, Case No. 24-1102-DDC-BGS v.  
AMERICAN CREDIT ACCEPTANCE, et  
al., Defendants.

#### MEMORANDUM AND ORDER

The court previously ordered this case to proceed in arbitration. Doc. 106. It also stayed and administratively closed this case pending that arbitration's result. Id. at 21. Plaintiffs<sup>1</sup> now have objected to that order and demand that the court vacate it. Doc. 108. Trying to support their objection, plaintiffs assert that our court erred by assuming jurisdiction over this case. This assertion makes little sense. Plaintiffs themselves filed this action and invoked the court's jurisdiction, asserting that the court has both federal-question jurisdiction under 28 U.S.C. § 1331 and diversity jurisdiction under 28 U.S.C. § 1332. Doc. 21 at 4. Plaintiffs' Amended Complaint doesn't allege enough information to satisfy diversity jurisdiction, but it does allege violations of federal law. Id. at 7–

8. So, the court—based on plaintiffs' own Amended Complaint—had federal-question jurisdiction over this dispute. Indeed, Magistrate Judge Brooks G. Severson reached this 1 Because plaintiffs appear pro se, the court construes their pleadings liberally and holds the filings “to a less stringent standard than formal pleadings drafted by lawyers.” See Hall v. Bellmon, 935 F.2d 1106, 1110 (10th Cir. 1991). But the court can't assume the role of their advocate. Id. conclusion long ago, Doc. 25 at 4, and plaintiffs' objection to Judge Severson's Order claims defendants violated the Fair Credit Reporting Act—a federal law. Doc. 31 at 5. Thus, the court had federal-question jurisdiction and “a federal court has a virtually unflagging obligation to assert jurisdiction where it has that authority.” Mata v. Lynch, 576 U.S. 143, 144 (2015) (quotation cleaned up). Plaintiffs' own filings require this conclusion. In any event, this case is stayed and administratively closed pending the result of the parties' arbitration. Doc. 106 at 21–22. The court explained to the parties that they could “move the court to reopen the case for good cause shown after those proceedings conclude.” Id. at 22. Plaintiffs don't assert good cause, nor do they assert

that the arbitration pleadings have concluded. See generally Doc. 108. The court thus overrules plaintiffs' Objection (Doc. 108). Plaintiffs also have filed a "Verified Judicial Notice and Command for Ruling" (Doc. 109). They demand a ruling on their Objection (Doc. 108) because the filing "has remained pending beyond the reasonable judicial timeframe." Doc. 109 at 1. Plaintiffs demanded a ruling less than a month after filing their Objection, however. Perhaps plaintiffs are unaware. The court's docket responsibilities include hundreds of other cases, and the court must balance disputes in those actions with those in this case. Given the size of the court's docket and the exigencies of motions pending in other cases, the court must ask plaintiffs to wait their turn. The court will rule their requests as soon as it can. And the court now has ruled the Objection (Doc. 108) and thus denies plaintiffs' request for a ruling as moot. The court concludes with an advisory to plaintiffs: these two filings are frivolous, and the court won't look favorably on future frivolous filings. This case is closed pending the outcome of the parties' arbitration. The court may deny summarily any future filings that fail to show good cause to reopen this case—after those arbitration proceedings conclude. IT IS THEREFORE ORDERED BY THE COURT THAT plaintiffs' "Objection to Order, Demand to Vacate, and Notice of Constitutional Challenge Due to Lack of Jurisdiction" (Doc. 108) is overruled. IT IS FURTHER ORDERED THAT plaintiffs' "Verified Judicial Notice and Command for Ruling" (Doc. 109) is denied as moot. IT IS FURTHER ORDERED THAT any future filings that fail to show good cause after the parties' arbitration proceedings conclude may be summarily denied. This case remains administratively closed. IT IS SO ORDERED. Dated this 27th day of January, 2026, at Kansas City, Kansas. s/ Daniel D. Crabtree Daniel D. Crabtree United States District Judge