

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

**Alaya Coleman v. RPF-Somers Investors, LLC, Annenberg
Investments Ltd., LV Property Management, Moyer Properties, LLC,
Daviaon Johnson, Nicolette Washington, Maurice Pasquier, Kayla
Rivera, RPF-Somers Multifamily, LLC, and Ravine Park Partners**

Coleman · No. 25-CV-1277-JPS · Decided January 30, 2026

SUMMARY

The United States District Court for the Eastern District of Wisconsin grants Plaintiff Alaya Coleman's motion to dismiss under Federal Rule of Civil Procedure 41(a)(2). The action is dismissed without prejudice because the defendants would not suffer plain legal prejudice, and several other pending motions are denied or matters are declined as moot.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	P. Stadtmueller
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	January 30, 2026
DOCKET	25-CV-1277-JPS
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 41(a)(2) for dismissal of the action without prejudice while the case was in its early phase.
STANDARD OF REVIEW	A district court's decision to dismiss without prejudice under Rule 41(a)(2) is reviewed for abuse of discretion; dismissal is improper only if the defendant would suffer plain legal prejudice.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status is unknown from the source metadata.

TOPICS

- motions to dismiss
- motion for a more definite statement
- motion to amend
- civil procedure

PRACTICE AREAS

civil procedure

QUESTIONS PRESENTED

1. Whether the court should grant plaintiff's motion for voluntary dismissal without prejudice under Federal Rule of Civil Procedure 41(a)(2).
2. Whether the defendants would suffer plain legal prejudice from dismissal without prejudice.
3. Whether the remaining motions and requests should be denied, declined, or otherwise treated as moot following dismissal.

HOLDINGS

1. The court may grant a plaintiff's Rule 41(a)(2) motion for dismissal without prejudice when the defendants will not suffer plain legal prejudice, and the court granted the motion here.
2. The court denied several pending motions as moot and declined to authorize contemplated Rule 12 motions because dismissal of the action rendered those matters moot.

KEY QUOTATIONS

"The dismissal of a plaintiff's complaint without prejudice under Rule 41(a)(2) is within the sound discretion of the district court." (Page 4)

"The district court abuses that discretion "only when it can be established that the defendant will suffer plain legal prejudice as the result of the district court's dismissal of the plaintiff's action."" (Page 4)

FACTUAL BACKGROUND

Alaya Coleman sued multiple property-management entities and individuals. The case remained in an early phase: defendants had submitted executive summaries concerning contemplated motions to dismiss and for a more definite statement, at least one defendant had filed an answer, and no summary-judgment motion or meaningful trial preparation had occurred. Coleman sought voluntary dismissal without prejudice.

PROCEDURAL HISTORY

Plaintiff filed an initial complaint in June 2025 and an operative complaint in November 2025. Before defendants' contemplated motions to dismiss or for a more definite statement were filed, and before summary judgment or meaningful trial preparation, plaintiff moved for voluntary dismissal under Rule 41(a)(2). The district court granted dismissal without prejudice and denied or declined to authorize the remaining motions and requests as moot.

DISPOSITION

dismissed

CASES CITED

- Kovalic v. DEC Int'l, Inc., 855 F.2d 471, 473 (7th Cir. 1988)
- Pace v. S. Express Co., 409 F.2d 331, 334 (7th Cir. 1969)

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