

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OHIO, EASTERN DIVISION

Jeffrey A. Keener v. Cross Country Mortgage, LLC, et al.

Keener · No. 1:25 CV 2633 · Decided January 22, 2026

SUMMARY

The United States District Court for the Northern District of Ohio dismissed pro se plaintiff Jeffrey A. Keener's action against Cross Country Mortgage, LLC and other defendants. The court concluded that the pleadings were incoherent, failed to state a plausible claim, and lacked an arguable basis in law or fact under 28 U.S.C. § 1915(e). The court also certified that an appeal could not be taken in good faith under 28 U.S.C. § 1915(a)(3).

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio, Eastern Division
WRITING FOR THE COURT	Dan Aaron Polster
JURISDICTION	United States District Court for the Northern District of Ohio, Eastern Division
DECIDED	January 22, 2026
DOCKET	1:25 CV 2633
DISPOSITION	dismissed
PROCEDURAL POSTURE	A pro se prisoner filed an in forma pauperis civil action and amended complaint seeking damages and injunctive relief. The district court screened the pleading under 28 U.S.C. § 1915(e) and dismissed the action for failure to state a plausible claim and for lacking an arguable basis in law or fact.
STANDARD OF REVIEW	On in forma pauperis screening, the court must dismiss an action that fails to state a claim or lacks an arguable basis in law or fact. The court construes pro se pleadings liberally and generally views allegations in the light most favorable to the plaintiff, but may reject allegations that are clearly baseless.
PRECEDENTIAL VALUE	unpublished district court memorandum; persuasive only

TOPICS

pleadings

civil procedure

first amendment

free speech

PRACTICE AREAS

civil procedure

prisoner civil rights

QUESTIONS PRESENTED

1. Whether the in forma pauperis action stated a plausible claim upon which relief could be granted under 28 U.S.C. § 1915(e).
2. Whether the complaint's factual allegations lacked an arguable basis in law or fact because they were clearly baseless, fanciful, irrational, or delusional.
3. Whether the court should certify under 28 U.S.C. § 1915(a)(3) that an appeal could not be taken in good faith.

HOLDINGS

1. The action was subject to dismissal under 28 U.S.C. § 1915(e) because the complaint did not contain a coherent statement of plausible facts or a decipherable legal claim connected to any defendant.
2. The complaint's allegations were clearly baseless and lacked an arguable basis in law or fact, independently supporting dismissal under 28 U.S.C. § 1915(e).
3. The court certified that an appeal from the decision could not be taken in good faith.

KEY QUOTATIONS

“A pleading that offers legal conclusions or a simple recitation of the elements of a cause of action will not meet this pleading standard.” (at 2)

“The case at bar undoubtedly presents just such a Complaint, It does not contain a coherent statement of plausible fact, or a decipherable legal claim that has an arguable basis in law or connection to any of the Defendants.” (at 2)

FACTUAL BACKGROUND

Keener, an inmate proceeding pro se, alleged that purported Russian henchmen and other unknown persons assaulted, threatened, intimidated, and surveilled him in connection with Cross Country Mortgage's merger with Berkshire Hathaway. He also alleged that these acts were related to his family ties and heritage. The complaint and amended complaint asserted claims labeled First Amendment free speech, bribery, defamation, assault, and telecommunication harassment, and sought monetary damages and injunctive relief.

PROCEDURAL HISTORY

Jeffrey A. Keener filed the action against Cross Country Mortgage, LLC, Ronald Leonhardt, Jr., and Ilya Palatnik, then filed an amended complaint on December 23, 2025. The district court reviewed the in forma pauperis pleading, found the allegations incoherent and implausible, dismissed the action under 28 U.S.C. § 1915(e), and certified that an appeal could not be taken in good faith under 28 U.S.C. § 1915(a)(3).

DISPOSITION

dismissed

CASES CITED

- Boag v. MacDougall, 454 U.S. 364, 365 (1982) (per curiam)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Neitzke v. Williams, 490 U.S. 319, 327 (1989)
- Lawler v. Marshall, 898 F.2d 1196 (6th Cir. 1990)
- Sistrunk v. City of Strongsville, 99 F.3d 194, 197 (6th Cir. 1996)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 564 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 677-78 (2009)
- Bibbo v. Dean Witter Reynolds, Inc., 151 F.3d 559, 561 (6th Cir.)
- Denton v. Hernandez, 504 U.S. 25, 32-33 (1992)

OPINION

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO EASTERN DIVISION JEFFREY A. KEENER, } CASE NO, 1:25 CV 2633) Plaintiff,) JUDGE DAN AARON POLSTER) Vs.)) MEMORANDUM OF OPINION CROSS COUNTRY MORTGAGE, LLC,) AND ORDER et al.,)) Defendants.) Pro se Plaintiff Jeffrey A. Keener, currently an inmate at the Allen-Oakwood Correctional Institution, filed this action against Cross Country Mortgage, LLC, Ronald Leonhardt, Jr., and Ilya Palatnik.

(Doc. No. 1). He filed an Amended Complaint on December 23, 2025. (Doc. No. 3). Both the Complaint and Amended Complaint consist largely of fragmented sentences and disjointed and obscure allegations involving “Russian henchmen”, the Heils Angels, assaults and threats by unknown assailants, and female dancers and escorts that were paid to befriend him and report on his activities, He claims that the “Russian henchmen” carried out acts of assault and intimidation to keep the value of Cross Country Mortgage up more its merger with Berkshire Hathaway in 2022.

(Doc. No. 3 at PageID #: 26). He also claims that the acts were carried out due to his family ties to the IRS, police, judges, the real estate industry, and mortgages, “due in part to being old world, English Jewish Heritage.” (Doc. No. 3 at PageID #: 26). He lists causes of action for violation of the First Amendment Free Speech, bribery, defamation of character assault, and telecommunication harassment.

He seeks monetary damages and injunctive relief. Although pro se pleadings are liberally construed, Boag v. MacDougall, 454 U.S. 364, 365 (1982) (per curiam); Haines v. Kerner, 404 U.S. 519, 520 (1972), the Court is required to dismiss an in forma pauperis action under 28 U.S.C.

§1915(e) if it fails to state a claim upon which relief can be granted, or if it lacks an arguable basis in law or fact.

Neitzke v. Williams, 490 U.S. 319 (1989); *Lawler v. Marshall*, 898 F.2d 1196 (6th Cir. 1990); *Sistrunk v. City of Strongsville*, 99 F.3d 194, 197 (6th Cir. 1996). A claim lacks an arguable basis in law or fact when it is premised on an indisputably meritless legal theory or when the factual contentions are clearly baseless. *Neitzke*, 490 US. at 327.. A cause of action fails to state a claim upon which relief may be granted when it lacks “plausibility in the Complaint.” *Bell Atl.*

Corp. v. Twombly, 550 U.S. 544, 564 (2007). A pleading must contain a “short and plain statement of the claim showing that the pleader is entitled to relief.” *Ashcroft v. Iqbal*, 556 U.S. 662, 677-78 (2009). The factual allegations in the pleading must be sufficient to raise the right to relief above the speculative level on the assumption that all the allegations in the Complaint are true.

Bel/ Ath Corp., 550 U.S, at 555, The Plaintiff is not required to include detailed factual allegations, but must provide more than “an unadorned, the-Defendant-unlawfully-harmed-me accusation.” *Iqbal*, 556 U.S. at 678, A pleading that offers legal conclusions or a simple recitation of the elements of a cause of action will not meet this pleading standard. *Jd.*

In reviewing a Complaint, the Court generally must construe the pleading in the light most favorable to the Plaintiff. *Bibbo v. Dean Witter Reynolds, Inc.*, \51 F.3d 559, 561 (6th -2-Cir.1998)}, The Court, however, is given discretion to refuse to accept without question the truth of Plaintiffs allegations when they are “clearly baseless,” a term encompassing claims that may be fairly described as fanciful, fantastic, delusional, wholly incredible, or irrational.

Denton v. Hernandez, 504 U.S. 25, 32-33 (1992). The case at bar undoubtedly presents just such a Complaint, It does not contain a coherent statement of plausible fact, or a decipherable legal claim that has an arguable basis in law or connection to any of the Defendants.

Accordingly, this action is DISMISSED pursuant to 28 U.S.C. § 1915(e). The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.’ IT IS SO ORDERED. { LD Date: 1/22/2026 on DAN AARON POLSTER UNITED STATES DISTRICT JUDGE ' 28 U.S.C. § 1915(a)(3) provides: An appeal may not be taken in forma pauperis if the trial court certifies that it is not taken in good faith.

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