

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

Billie J. Levert-Hill v. Glick Dental Assoc. Inc., et al.

No. 1:25-CV-02677, United States District Court for the Northern District of Ohio, Eastern Division (February 10, 2026)

SUMMARY

The United States District Court for the Northern District of Ohio dismissed a pro se plaintiff’s action against a dental practice and its personnel under 28 U.S.C. § 1915(e)(2)(B). The court concluded that the complaint failed to state a cognizable claim and did not establish federal-question or diversity jurisdiction. The court also certified that an appeal could not be taken in good faith.

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio, Eastern Division
WRITING FOR THE COURT	David A. Ruiz
JURISDICTION	United States District Court for the Northern District of Ohio, Eastern Division
DECIDED	February 10, 2026
DOCKET	1:25-CV-02677
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se plaintiff filed a civil action and an application to proceed in forma pauperis. The court granted the application but screened and dismissed the action under 28 U.S.C. § 1915(e)(2)(B).
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2)(B), the court must dismiss an in forma pauperis action that fails to state a claim or lacks an arguable basis in law or fact. On pleading sufficiency, the court applied the Rule 8 and Twombly/Iqbal plausibility standards and construed the pro se complaint liberally.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Billie J. Levert-Hill v. Glick Dental Assoc. Inc., Chris Gebbia, Elizabeth Doe

TOPICS

subject matter jurisdiction

pleadings

motions to dismiss

medical malpractice

civil procedure

PRACTICE AREAS

civil procedure

federal jurisdiction

health law

medical malpractice

civil rights

QUESTIONS PRESENTED

1. Whether the complaint established federal subject matter jurisdiction through diversity of citizenship.
2. Whether the complaint identified a federal question or otherwise stated a plausible claim sufficient to survive screening under 28 U.S.C. § 1915(e)(2)(B).
3. Whether the complaint's allegations concerning malpractice, billing negligence, emotional distress, Medicare or Medicaid status, and racial profiling stated a cognizable federal claim.

HOLDINGS

1. The complaint did not establish diversity jurisdiction because it suggested that Plaintiff and Defendants were all citizens of Ohio and did not plead facts showing complete diversity.
2. The complaint failed to identify a federal question because its allegations primarily suggested state-law tort theories and did not allege facts supporting a federal claim.
3. The action was properly dismissed under 28 U.S.C. § 1915(e)(2)(B) because the complaint failed to state a claim upon which relief could be granted.

KEY QUOTATIONS

“Federal courts are courts of limited jurisdiction, and, unlike state trial courts, they do not have general jurisdiction to review all questions of law.”

“It is not the role of the Court to conjure up any possible, but unpled, claim and then proceed to test each of those claims for legal viability.”

FACTUAL BACKGROUND

Plaintiff was scheduled for two dental implants on December 10, 2024, and was instructed to take Valium and Percocet before the appointment. After she arrived and nitrous oxide was administered, an office manager allegedly directed that she leave immediately, denied her request to wait for the medications to wear off or arrange transportation, and threatened to call police. Plaintiff alleged that she was forced to drive home while under the influence of the medications and nitrous oxide and later learned that her insurer had denied coverage because of the dental office's billing practices.

PROCEDURAL HISTORY

Lever-Hill sued a dental practice, a dentist, and an office manager based on being denied a scheduled oral-surgery appointment after taking prescribed medications and allegedly being required to leave while impaired. She asserted vague malpractice, financial-distress, emotional-distress, racial-profiling, and insurance-billing

allegations. The district court determined that the complaint did not establish diversity jurisdiction or identify a viable federal question and dismissed it during in forma pauperis screening.

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 Atl. 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. 1998)
- Ohio ex rel. Skaggs v. Brunner, 549 F.3d 468, 474-475 (6th Cir. 2008)
- Kokkonen v. Guardian Life Ins. Co. of Am., 511 U.S. 375, 377 (1994)
- Caterpillar Inc. v. Williams, 482 U.S. 386, 392 (1987)
- Von Dunser v. Aronoff, 915 F.2d 1071, 1072 (6th Cir. 1990)
- Franchise Tax Bd. v. Construction Laborers Vacation Trust, 463 U.S. 1, 27-28 (1983)
- Washington v. Sulzer Orthopedics, Inc., No. 03-3350, 2003 WL 22146143, at *1 (6th Cir. Sept. 16, 2003)
- Mikulski v. Centerior Energy Corp., 501 F.3d 555, 560 (6th Cir. 2007)