

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Domonique Cornell Wilson, et al. v. Holiday Estates, et al.

Wilson · No. 25-cv-13842 · Decided December 18, 2025

SUMMARY

The United States District Court for the Eastern District of Michigan granted Plaintiffs' application to proceed in forma pauperis and vacated its prior order to show cause. The court summarily dismissed Plaintiffs' federal claims for failure to state a claim, including claims under the Fair Housing Act and 42 U.S.C. § 1983. The court declined supplemental jurisdiction over the remaining state-law claims and dismissed them without prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	Matthew F. Leitman
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	December 18, 2025
DOCKET	25-cv-13842
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiffs filed a pro se civil action, sought leave to proceed in forma pauperis, and responded to an order to show cause concerning the sufficiency of their federal claims. The district court screened the complaint, granted in forma pauperis status, dismissed the federal claims for failure to state a claim, and dismissed the remaining state-law claims without prejudice after declining supplemental jurisdiction.
STANDARD OF REVIEW	The court screened the complaint under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A and assessed whether it stated a plausible claim under Federal Rule of Civil Procedure 8(a) and the pleading standard described in <i>Bell Atlantic Corp. v. Twombly</i> .
PRECEDENTIAL VALUE	Unknown; district court order with no reported citation
PARTIES	Domonique Cornell Wilson, et al. v. Holiday Estates, et al.

TOPICS

civil procedure

motions to dismiss

civil rights

section 1983

landlord tenant

PRACTICE AREAS

civil procedure

civil rights

landlord-tenant law

torts

QUESTIONS PRESENTED

1. Whether plaintiffs stated a plausible federal claim under the Fair Housing Act.
2. Whether plaintiffs could pursue a claim under 42 U.S.C. § 1983 against the private defendants.
3. Whether the court should retain supplemental jurisdiction over the remaining state-law claims after dismissing all federal claims.
4. Whether plaintiffs should be permitted to proceed in forma pauperis.

HOLDINGS

1. Plaintiffs failed to state a plausible Fair Housing Act claim because they did not allege that defendants discriminated or retaliated against them based on a protected category under the Act.
2. Plaintiffs could not proceed under § 1983 because all defendants were private parties and the complaint did not allege state action.
3. The complaint did not state plausible federal claims because it failed to provide sufficient factual allegations establishing entitlement to relief and did not separately explain the basis for the federal claims against each defendant.
4. After dismissing all federal claims, the court declined to exercise supplemental jurisdiction over the remaining state-law claims and dismissed them without prejudice.

KEY QUOTATIONS

“A complaint is frivolous if it lacks an arguable basis in law or in fact.”

“A plaintiff may not proceed under § 1983 against a private party ‘no matter how discriminatory or wrongful’ the party’s conduct.”

“When all federal claims are dismissed before trial, the balance of considerations usually will point to dismissing the state law claims”

FACTUAL BACKGROUND

Plaintiff Domonique Cornell Wilson alleged that he rented a mobile home from Holiday Estates and that a gas leak and HVAC problems made him and his children ill. He alleged that, after complaining about the HVAC problems, defendants retaliated by attempting to evict plaintiffs. The complaint asserted negligence and breach of statutory duty, retaliation and illegal eviction, federal housing-rights violations, gross negligence, and intentional infliction of emotional distress.

PROCEDURAL HISTORY

Wilson filed the action on December 1, 2025, asserting state and federal claims arising from alleged housing conditions and threatened eviction. After initial review, the court issued an order to show cause requiring plaintiffs to identify a viable federal basis for each claim and defendant. Plaintiffs responded on December 17, 2025, but the court concluded that they still had not stated cognizable federal claims. The court vacated the show-cause order, granted in forma pauperis status, dismissed the federal claims, and dismissed the state-law claims without prejudice.

DISPOSITION

dismissed

CASES CITED

- *Grinter v. Knight*, 532 F.3d 567, 572 (6th Cir. 2008)
- *Denton v. Hernandez*, 504 U.S. 25, 31 (1992)
- *Neitzke v. Williams*, 490 U.S. 319, 325 (1989)
- *Haines v. Kerner*, 404 U.S. 519, 520-21 (1972)
- *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007)
- *Tahfs v. Proctor*, 316 F.3d 584, 590 (6th Cir. 2003)
- *Am. Mfrs. Mut. Ins. Co. v. Sullivan*, 526 U.S. 40, 50 (1999)
- *Musson Theatrical, Inc. v. Fed. Exp. Corp.*, 89 F.3d 1244, 1254-55 (6th Cir. 1996)
- *Brooks v. Rothe*, 577 F.3d 701, 709 (6th Cir. 2009)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN
DIVISION DOMONIQUE CORNELL WILSON, et al., Plaintiffs, Case No. 25-cv-13842 v. Hon.
Matthew F. Leitman HOLIDAY ESTATES, et al., Defendants.
_____/ ORDER (1)

VACATING ORDER TO SHOW CAUSE (ECF No. 8), (2) GRANTING APPLICATION TO
PROCEED IN FORMA PAUPERIS (ECF No. 2); AND (3) SUMMARILY DISMISSING
COMPLAINT I On December 1, 2025, Plaintiff Domonique Cornell Wilson filed this action on
his behalf and on behalf of his minor children against Defendants Holiday Estates, Kim Brown,
Jacquelin, and DTE Energy Company.

(See Compl., ECF No. 1.) Wilson appears to allege that (1) he rented a mobile home from Holiday
Estates, (2) there was a gas leak and problems with the HVAC unit in his mobile home that made
him and his children ill, (3) Wilson lodged complaints about the problems with the HVAC unit
with Defendants, and (4) Defendants have retaliated against Plaintiffs for raising those complaints
by attempting to evict them from their home.

(See *id.*) Wilson brings the following claims against the Defendants: “Negligence/Breach of Statutory Duty (State Law)”; “Retaliation/Illegal Eviction (State & Federal Law)”; “Violation of Federal Housing Rights (Federal Civil Rights / Fair Housing Protections)”; and “Gross Negligence/Intentional Infliction of Emotional Distress.” II Plaintiffs have also filed an application to proceed in forma pauperis in this action.

(See Application, ECF No. 2.) The Court has reviewed the application and concludes that it should be granted. It therefore GRANTS Plaintiffs permission to proceed in forma pauperis. When a party is granted in forma pauperis status, the Court must screen the party’s complaint and dismiss any portion of the complaint that is frivolous or malicious, fails to state a claim for which relief can be granted, or seeks monetary relief from a defendant who is immune from such relief.

See 28 U.S.C. §§ 1915(e)(2)(B) and 1915A; *Grinter v. Knight*, 532 F.3d 567, 572 (6th Cir. 2008). A complaint is frivolous if it lacks an arguable basis in law or in fact. See *Denton v. Hernandez*, 504 U.S. 25, 31 (1992); *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). A pro se complaint is to be construed liberally. See *Haines v. Kerner*, 404 U.S. 519, 520-21 (1972).

Nonetheless, Federal Rule of Civil Procedure 8(a) requires that all complaints set forth “a short and plain statement of the claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a) (2), (3). The purpose of this rule is to “give the defendant fair notice of what the claim is and the grounds upon which it rests.” *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (citation omitted).

While this notice pleading standard does not require “detailed” factual allegations, it does require more than the bare assertion of legal principles or conclusions. *Id.* at 555. III When the Court conducted an initial review of Plaintiffs’ Complaint, it appeared to the Court that Plaintiffs had failed to state any viable federal claims against the Defendants.

The Court therefore directed Plaintiffs to show cause why their federal claims should not be dismissed (the “Show Cause Order”). (See Show Cause Order, ECF No. 8.) The Court further directed Plaintiffs to “explain the basis for their federal claims against each of the named Defendants separately.” (*Id.*, PageID.57.)

The Court then warned Plaintiffs that if they did “not respond to this order as [the Court] directed,” the Court would dismiss their Complaint. (*Id.*) Plaintiffs filed their response to the Show Cause Order on December 17, 2025. (See Resp., ECF No. 9.) But in that response, Plaintiffs still have not identified any cognizable basis for their federal claims.

For example, while Plaintiffs seek to bring claims against the Defendants under the federal Fair Housing Act, Plaintiffs have not alleged that Defendants discriminated or retaliated against them based on any protected category under that Act. And while Plaintiffs further say in response to the Show Cause Order that they seek to bring claims against the Defendants under 42 U.S.C. § 1983,

they may not do so because all of the Defendants are private parties, and “[a] plaintiff may not proceed under § 1983 against a private party ‘no matter how discriminatory or wrongful’ the party's conduct.” *Tahfs v. Proctor*, 316 F.3d 584, 590 (6th Cir.

2003) (quoting *Am. Mfrs. Mut. Ins. Co. v. Sullivan*, 526 U.S. 40, 50 (1999)). Finally, in their response to the Show Cause Order, Plaintiffs did not “explain the basis for their federal claims against each of the named Defendants separately” as the Court directed. (Show Cause Order, ECF No. 8, PageID.57.)

For all of these reasons, and the additional reasons explained in the Show Cause Order, the Court concludes that Plaintiffs have not stated any plausible federal claims against the Defendants. Accordingly, IT IS HEREBY ORDERED as follows: The Show Cause Order (ECF No. 8) is VACATED; Plaintiffs’ application to proceed in forma pauperis (ECF No. 2) is GRANTED; Plaintiffs’ federal claims are summarily DISMISSED for failure to state a claim; and Because the Court is dismissing all of Plaintiffs’ federal claims, the Court will exercise its discretion and decline to exercise supplemental jurisdiction over Plaintiffs’ remaining state-law claims.

See, e.g., *Musson Theatrical, Inc. v. Fed. Exp. Corp.*, 89 F.3d 1244, 1254-55 (6th Cir. 1996) (explaining that “[w]hen all federal claims are dismissed before trial, the balance of considerations usually will point to dismissing the state law claims”); *Brooks v. Rothe*, 577 F.3d 701, 709 (6th Cir. 2009) (noting that “[i]f the federal claims are dismissed before trial, the state claims generally should be dismissed as well”).

Those claims are therefore DISMISSED WITHOUT PREJUDICE. IT IS SO ORDERED.
s/Matthew F. Leitman MATTHEW F. LEITMAN UNITED STATES DISTRICT JUDGE Dated:
December 18, 2025 I hereby certify that a copy of the foregoing document was served upon the
parties and/or counsel of record on December 18, 2025, by electronic means and/or ordinary mail.
s/Holly A. Ryan Case Manager (313) 234-5126