

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ALABAMA, SOUTHERN DIVISION

Aaron Demarcus White v. Google, et al.

White v. Google · No. 2:25-cv-1679-ACA · Decided January 5, 2026

SUMMARY

The United States District Court for the Northern District of Alabama dismissed Aaron Demarcus White’s pro se claims for slander and libel against Walmart, Google, and Gordon Matthew Thomas Sumner with prejudice for failure to state a claim. The court denied jurisdictional dismissal arguments by Google and Sumner, denied White’s motion for default judgment, and found his motion to not dismiss moot.

CASE DETAILS

COURT	United States District Court for the Northern District of Alabama, Southern Division
WRITING FOR THE COURT	Annemarie Carney Axon
JURISDICTION	United States District Court for the Northern District of Alabama, Southern Division
DECIDED	January 5, 2026
DOCKET	2:25-cv-1679-ACA
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed a pro se complaint asserting state-law slander and libel claims against Walmart, Google, and Gordon Matthew Thomas Sumner. Defendants moved to dismiss under Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6); plaintiff moved for default judgment against Walmart.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the complaint must plead a claim for relief that is plausible on its face, and the court accepts well-pleaded factual allegations as true and construes them in the plaintiff’s favor. Subject-matter and personal jurisdiction were addressed before the merits.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- motions to dismiss
- personal jurisdiction
- subject matter jurisdiction
- default judgment
- defamation

PRACTICE AREAS

civil procedure

defamation

personal jurisdiction

subject matter jurisdiction

remedies

QUESTIONS PRESENTED

1. Whether the court had diversity subject-matter jurisdiction despite defendants' contention that the claims were frivolous.
2. Whether the court had personal jurisdiction over Sumner based on his alleged performance of the song in Alabama.
3. Whether White's allegations stated plausible claims for slander and libel under Alabama law.
4. Whether White was entitled to default judgment against Walmart.

HOLDINGS

1. The court had diversity subject-matter jurisdiction because White alleged Alabama residency, non-Alabama residency for the defendants, and more than \$75,000 in controversy.
2. The court had specific personal jurisdiction over Sumner because White alleged that Sumner committed the claimed intentional tort while performing in Alabama.
3. White's complaint failed to state plausible claims for slander or libel, and dismissal with prejudice was warranted because amendment would be futile.
4. White was not entitled to default judgment because Walmart appeared and filed a motion to dismiss.

KEY QUOTATIONS

"Specific jurisdiction arises 'out of a party's activities in the forum state that are related to the cause of action alleged in the complaint.'" (Discussion § 2)

"To survive a motion to dismiss, the plaintiff must plead 'a claim to relief that is plausible on its face.'" (Discussion § 3)

FACTUAL BACKGROUND

White alleged that he is the only true "Englishman" because he is the only person who truly knows English, and that defendants' use of the word "Englishman" therefore slandered and libeled him. Walmart used the word in titles of products sold online, Google search results contained the word, and Sumner's song "Englishman in New York" repeatedly used the word. White alleged that Sumner performed the song in Alabama at Oak Mountain Theater on August 29, 2000.

PROCEDURAL HISTORY

The action was filed in the United States District Court for the Northern District of Alabama. The court held that diversity subject-matter jurisdiction existed and that it had specific personal jurisdiction over Sumner, but dismissed all claims with prejudice under Rule 12(b)(6) for failure to state a claim. The court denied plaintiff's motion for default judgment and found his motion to not dismiss moot.

DISPOSITION

dismissed

CASES CITED

- *Butler v. Sheriff of Palm Beach Cnty.*, 685 F.3d 1261, 1265 (11th Cir. 2012)
- *Sinochem Int'l Co. v. Malaysia Int'l Shipping Corp.*, 549 U.S. 422, 430-31 (2007)
- *Hagans v. Lavine*, 415 U.S. 528, 536-37 (1974)
- *United Techs. Corp. v. Mazer*, 556 F.3d 1260, 1274 (11th Cir. 2009)
- *Sloss Indus. Corp. v. Eurisol*, 488 F.3d 922, 925 (11th Cir. 2007)
- *Daimler AG v. Bauman*, 571 U.S. 117, 137 (2014)
- *Lamb v. Turbine Designs, Inc.*, 207 F.3d 1259, 1260-61 (11th Cir. 2000)
- *Calder v. Jones*, 465 U.S. 783, 789-90 (1984)
- *Moore v. Cecil*, 109 F.4th 1352, 1363-64 (11th Cir. 2024)
- *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Dolgencorp, LLC v. Spence*, 224 So. 3d 173, 186 (Ala. 2016)