

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
MISSISSIPPI

Christopher Montgomery v. David Criddle

Montgomery v. Criddle · No. 1:24-CV-196-SA-DAS · Decided January 6, 2026

SUMMARY

The United States District Court for the Northern District of Mississippi denied without prejudice David Criddle’s motion for judgment on the pleadings in Christopher Montgomery’s pro se civil rights action. The court found that Montgomery’s complaint did not clearly identify discrete claims or connect factual allegations to the elements of alleged First, Fourth, and Fifth Amendment violations, but granted him one final opportunity to amend. The court also denied without prejudice Montgomery’s separate motion for partial summary judgment.

CASE DETAILS

COURT	United States District Court for the Northern District of Mississippi
WRITING FOR THE COURT	Sharion Aycock
JURISDICTION	United States District Court for the Northern District of Mississippi
DECIDED	January 6, 2026
DOCKET	1:24-CV-196-SA-DAS
DISPOSITION	other
PROCEDURAL POSTURE	Defendant David Criddle moved for judgment on the pleadings under Federal Rule of Civil Procedure 12(c). The court denied that motion without prejudice, permitted the pro se plaintiff one final opportunity to amend, and denied without prejudice the plaintiff's separate motion for partial summary judgment.
STANDARD OF REVIEW	A Rule 12(c) motion is evaluated under the same standard as a Rule 12(b)(6) motion. The court accepts well-pleaded factual allegations as true, disregards conclusory allegations, unwarranted factual inferences, and legal conclusions, and asks whether the complaint contains sufficient factual matter to state a facially plausible claim for relief.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Christopher Montgomery v. David Criddle

TOPICS

motion for judgment on the pleadings

motion to amend

pleadings

civil procedure

civil rights

PRACTICE AREAS

civil procedure

civil rights

constitutional law

QUESTIONS PRESENTED

1. Whether Montgomery's complaint adequately pleaded discrete constitutional claims and connected supporting facts to the elements of those claims under Federal Rules of Civil Procedure 8 and 10(b).
2. Whether Criddle was entitled to judgment on the pleadings under Rule 12(c).
3. Whether Montgomery should be granted an opportunity to amend his pro se complaint before dismissal.

HOLDINGS

1. The complaint failed to adequately articulate discrete claims, identify the rights allegedly violated under each amendment, or link factual allegations to the elements of those claims, and therefore did not satisfy the pleading requirements of Rules 8(a)(2) and 10(b).
2. Criddle's motion for judgment on the pleadings was denied without prejudice rather than granted.
3. Montgomery was granted one final opportunity to amend his complaint within 21 days by clearly identifying each constitutional claim, its elements, and the factual allegations supporting each element.

KEY QUOTATIONS

“For a complaint to survive a Rule 12(c) motion, it must “contain sufficient factual matter, accepted as true, to ‘state a claim of relief that is plausible on its face.’” (Legal Standard)

“Even construed liberally, Montgomery’s Complaint [1] is insufficient.” (Analysis and Discussion, I. Allegations of the Complaint)

“Montgomery shall file an amended complaint within 21 days of today’s date.” (Conclusion)

FACTUAL BACKGROUND

Montgomery alleged that Officer Criddle stopped or approached him in Columbus, Mississippi, questioned him without Miranda warnings, arrested him after confirming that his driver's license was suspended, and found drug paraphernalia during a search. Montgomery further alleged that Criddle retrieved his cell phone and deleted a video of the interaction and other recordings. The complaint asserted, in a single conclusory paragraph, that Criddle violated Montgomery's First, Fourth, and Fifth Amendment rights.

PROCEDURAL HISTORY

Montgomery filed the action on October 29, 2024, asserting claims against multiple defendants under the First, Fourth, and Fifth Amendments. David Criddle was the only remaining defendant and moved for judgment on the pleadings. The court concluded that the complaint did not adequately identify discrete claims or connect factual

allegations to the elements of those claims, but declined to dismiss because Montgomery might be able to state a plausible claim through amendment.

DISPOSITION

other

CASES CITED

- Templeton v. Jarmillo, 28 F.4th 618, 621 (5th Cir. 2022)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)
- Heinze v. Tesco Corp., 971 F.3d 475, 479 (5th Cir. 2020)
- Scharklet v. Case Healthcare Sols., 2023 WL 8259255, at *8, *10 (N.D. Miss. Nov. 29, 2023)
- Gearlds v. Entergy Servs., Inc., 709 F.3d 448, 452 (5th Cir. 2013)
- Ivy v. U.S. Dept. of Agric., 2010 WL 2559885, at *4 (N.D. Miss. June 23, 2010)
- Hughes v. Rowe, 449 U.S. 5, 9 (1980)
- Taylor v. Books A Million, Inc., 296 F.3d 376, 378 (5th Cir. 2002)
- Alexander v. Hall, 2021 WL 800840, at *3 (N.D. Miss. Mar. 2, 2021)
- EPCO Carbon Dioxide Prods., Inc. v. JP Morgan Chase Bank, NA, 467 F.3d 466, 470 (5th Cir. 2006)
- White v. City of Grenada, Mississippi, 2021 WL 4449276, at *4 (N.D. Miss. Sept. 28, 2021)
- Morton v. City of Corinth, Mississippi, 2023 WL 4568777, at *2 (N.D. Miss. July 17, 2023)
- Sudduth v. Lowndes Cnty., Miss., 2019 WL 982861, at *4 (N.D. Miss. Feb. 28, 2019)
- Michael v. Boutwell, 2015 WL 2728516, at *6 (N.D. Miss. Feb. 19, 2015)