

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF  
FLORIDA, FORT MYERS DIVISION

Robert James Schornik III v. Lee County Jail et al.

Schornik · No. 2:25-cv-1097-SPC-DNF · Decided December 22, 2025

SUMMARY

The United States District Court for the Middle District of Florida dismissed without prejudice Robert James Schornik III's amended 42 U.S.C. § 1983 complaint. The court held that claims concerning his pending state criminal proceedings were barred by Younger abstention and that alleged verbal threats by a jail officer did not state a constitutional claim; Schornik was granted 14 days to file a second amended complaint addressing any viable claims against jail officials.

CASE DETAILS

|                    |                                                                                                                                                                                            |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT              | United States District Court for the Middle District of Florida, Fort Myers Division                                                                                                       |
| JURISDICTION       | United States District Court for the Middle District of Florida, Fort Myers Division                                                                                                       |
| DECIDED            | December 22, 2025                                                                                                                                                                          |
| DOCKET             | 2:25-cv-1097-SPC-DNF                                                                                                                                                                       |
| DISPOSITION        | dismissed                                                                                                                                                                                  |
| PROCEDURAL POSTURE | The district court screened a pro se pretrial detainee's amended complaint filed in forma pauperis under 28 U.S.C. § 1915(e)(2).                                                           |
| STANDARD OF REVIEW | Sua sponte screening under 28 U.S.C. § 1915(e)(2) to determine whether the complaint is frivolous or malicious, fails to state a claim, or seeks monetary relief from an immune defendant. |
| PRECEDENTIAL VALUE | unpublished district court opinion                                                                                                                                                         |
| PARTIES            | Robert James Schornik III v. Lee County Jail et al.                                                                                                                                        |

TOPICS

[section 1983](#) [civil rights](#) [comity](#) [federalism](#) [pleadings](#)

PRACTICE AREAS

[civil rights](#) [constitutional law](#) [criminal procedure](#) [federal jurisdiction](#)

## QUESTIONS PRESENTED

1. Whether the district court could entertain § 1983 claims challenging Schornik's pending state criminal proceedings.
2. Whether an alleged threat of verbal abuse by a jail officer, without more, stated a constitutional claim under § 1983.
3. Whether the amended complaint should be dismissed under the in forma pauperis screening statute and whether leave to amend should be granted.

## HOLDINGS

1. The district court abstained from interfering with Schornik's pending state criminal case under Younger principles and held that his claims concerning the arraignment and sentencing point sheet could not support a § 1983 claim in this action.
2. The allegation that Officer Heine threatened to slap Schornik, without an accompanying physical assault or other actionable conduct, failed to state a constitutional claim.
3. The amended complaint was dismissed without prejudice for failure to state a claim, but Schornik was permitted to file a second amended complaint within 14 days concerning potentially viable constitutional claims against jail officials.

## KEY QUOTATIONS

*“Federal courts are not intended as a “pre-trial motion forum for state prisoners.””*

*“Further, principles of equity, comity, and federalism require the Court to abstain from interfering in state criminal proceedings.”*

*“Count 3 fails because “verbal abuse alone is insufficient to state a constitutional claim.””*

## FACTUAL BACKGROUND

Schornik was a pretrial detainee at Lee County Jail with a pending state criminal case. He alleged that he was absent from his initial arraignment and that a prosecutor made an error in the sentencing point sheet. He also alleged that Officer Heine threatened to slap him after Schornik asked that his property be moved, and that Officers Perez and Scott covered up the incident.

## PROCEDURAL HISTORY

Schornik filed an amended complaint under 42 U.S.C. § 1983 concerning his pending state criminal case and an alleged threat by a jail officer. The district court dismissed the amended complaint without prejudice for failure to state a claim, held that amendment of the claims challenging the state prosecution would be futile, and granted leave to file a second amended complaint within 14 days regarding any viable constitutional claims against jail officials.

## DISPOSITION

dismissed

#### CASES CITED

- *Braden v. 30th Judicial Circuit Court of Ky.*, 410 U.S. 484, 493 (1973)
- *Younger v. Harris*, 401 U.S. 37, 45 (1971)
- *Hernandez v. Fla. Dep't of Corr.*, 281 F. App'x 862, 866 (11th Cir. 2008)

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