

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
MISSISSIPPI, OXFORD DIVISION

Kristen Mendez v. Jack Stollar and Dawn Hill-Kearse

Mendez · No. 3:26-cv-00117-JDM-JMV · Decided June 1, 2026

SUMMARY

The United States District Court for the Northern District of Mississippi dismissed Kristen Mendez’s pro se action against Jack Stollar and Dawn Hill-Kearse with prejudice. The court adopted the magistrate judge’s recommendation, finding the complaint frivolous and insufficient to state a claim under 28 U.S.C. § 1915(e)(2), and warned Mendez that future frivolous filings could result in sanctions or a prefiling injunction.

CASE DETAILS

COURT	United States District Court for the Northern District of Mississippi, Oxford Division
WRITING FOR THE COURT	James D. Maxwell II
JURISDICTION	United States District Court for the Northern District of Mississippi, Oxford Division
DECIDED	June 1, 2026
DOCKET	3:26-cv-00117-JDM-JMV
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court entered judgment dismissing a pro se in forma pauperis complaint with prejudice after adopting the magistrate judge's recommendation for dismissal.
STANDARD OF REVIEW	The court reviewed the in forma pauperis complaint sua sponte under 28 U.S.C. § 1915(e)(2).
PRECEDENTIAL VALUE	Unknown
PARTIES	Kristen Mendez v. Jack Stollar, Dawn Hill-Kearse

TOPICS

- motions to dismiss
- pleadings
- sanctions
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the in forma pauperis complaint should be dismissed sua sponte under 28 U.S.C. § 1915(e)(2) because it was frivolous and failed to state a claim.
2. Whether the action should be dismissed with prejudice and whether Mendez should be warned that future frivolous filings could result in sanctions, including a prefiling injunction.

HOLDINGS

1. An in forma pauperis complaint may be dismissed sua sponte under 28 U.S.C. § 1915(e)(2) when it is frivolous or malicious or fails to state a claim on which relief may be granted; Mendez's complaint satisfied both dismissal criteria.
2. The action was dismissed with prejudice because the complaint was frivolous and failed to state a cognizable claim, and the magistrate judge's recommendation was adopted.
3. The court warned Mendez that future frivolous filings may result in sanctions, including a prefiling injunction limiting access to the court.

KEY QUOTATIONS

“The three-sentence complaint is so devoid of any cognizable claim that it cannot be construed as anything but frivolous.”

“Mendez is warned that future frivolous filings may subject her to sanctions, including a prefiling injunction limiting access to this Court.”

FACTUAL BACKGROUND

Mendez filed a three-sentence pro se complaint against Jack Stollar and Dawn Hill-Kearse while proceeding in forma pauperis. The court found the complaint devoid of any cognizable claim and noted that it was one of more than a dozen complaints Mendez filed in various federal district courts at approximately the same time.

PROCEDURAL HISTORY

Mendez filed a pro se action on May 12, 2026, and the magistrate judge granted her request to proceed in forma pauperis the following day. The magistrate judge recommended dismissal because the complaint failed to state a claim and appeared frivolous. Mendez did not timely object, and the district judge adopted the recommendation and closed the case.

DISPOSITION

dismissed

CASES CITED

- Newsome v. E.E.O.C., 301 F.3d 227, 231 (5th Cir. 2002)
- Emrit v. Bd. of Immigr. Appeals, No. 2:22-CV-00110, 2022 WL 4287659, at *1 (S.D.W. Va. Mar. 31, 2022), report and recommendation adopted, No. 2:22-CV-00110, 2022 WL 3594518 (S.D.W. Va. Aug. 23, 2022)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI OXFORD DIVISION KRISTEN MENDEZ PLAINTIFF V. CAUSE NUMBER: 3:26-cv-00117-JDM-JMV JACK STOLLER and DAWN HILL-KEARSE DEFENDANTS JUDGMENT This action is DISMISSED with prejudice. And Plaintiff Kristen Mendez is warned that any future frivolous filing may result in sanctions, including a prefiling injunction that limits access to this Court.

On May 12, 2026, Kristen Mendez filed this pro se action against Jack Stollar and Dawn Hill-Kearse. [1] The next day, the Magistrate Judge granted Mendez's request to proceed in forma pauperis. [4] But, because Mendez's complaint failed to state a claim and appeared frivolous, the Magistrate Judge also recommended this action be dismissed.

[4] Mendez did not timely object to the recommendation to dismiss. The undersigned Judge adopts the recommendation to dismiss. Because Mendez is proceeding in forma pauperis, her complaint is subject to 28 U.S.C. § 1915(e)(2). Newsome v. E.E.O.C., 301 F.3d 227, 231 (5th Cir. 2002). Section 1915(e)(2) provides for the sua sponte dismissal of the complaint if the Court finds it is "frivolous or malicious" or if it "fails to state a claim on which relief may be granted." 28 U.S.C. § 1915(e)(2)(B))(i), (ii).

And here, Mendez's complaint meets both dismissal criteria. The three-sentence complaint is so devoid of any cognizable claim that it cannot be construed as anything but frivolous. Moreover, as the Magistrate Judge's order points out, Mendez's complaint was one of more than a dozen complaints Mendez scatter-shot across various federal district courts at the same time.

The undersigned Judge agrees with the Magistrate that this action is part of a larger "pattern of vexatious litigation that wastes judicial resources and can result in sanctions to the filer." [4] See Emrit v. Bd. of Immigr. Appeals, No. 2:22-CV-00110, 2022 WL 4287659, at *1 (S.D.W. Va. Mar. 31, 2022), report and recommendation adopted, No. 2:22-CV-00110, 2022 WL 3594518 (S.D.W.

Va. Aug. 23, 2022). Mendez is warned that future frivolous filings may subject her to sanctions, including a prefiling injunction limiting access to this Court. Conclusion The Recommendation to Dismiss [4] is adopted and incorporated into this Judgment. This action is DISMISSED with prejudice. This case is CLOSED. SO ORDERED this the 1st day of June, 2026. /s/ James D. Maxwell II UNITED STATES DISTRICT JUDGE NORTHERN DISTRICT OF MISSISSIPPI

