

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

Chapman v. Milwaukee County Jail and Officer Nolan

Case No. 25-cv-1612-bhl (E.D. Wis. Nov. 21, 2025) · No. 25-cv-1612-bhl · Decided November 21, 2025

SUMMARY

The United States District Court for the Eastern District of Wisconsin grants Queontay DL Chapman leave to proceed in forma pauperis in his 42 U.S.C. § 1983 action. The court finds the complaint factually frivolous under 28 U.S.C. § 1915A(b), but permits Chapman to file an amended complaint or voluntarily dismiss the action by December 19, 2025. The order also addresses collection of the filing fee and filing procedures for incarcerated plaintiffs.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	Brett H. Ludwig
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	November 21, 2025
DOCKET	25-cv-1612-bhl
DISPOSITION	other
PROCEDURAL POSTURE	Prisoner civil-rights action under 42 U.S.C. § 1983; the court considered plaintiff's motion to proceed in forma pauperis and screened the complaint under 28 U.S.C. § 1915A.
STANDARD OF REVIEW	Screening under 28 U.S.C. § 1915A requires dismissal of a prisoner complaint or portion of a complaint that is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant. The court applied the plausibility and notice-pleading standards under Federal Rule of Civil Procedure 8(a)(2).
PARTIES	Queontay DL Chapman v. Milwaukee County Jail, Officer Nolan

QUESTIONS PRESENTED

- Whether Chapman should be permitted to proceed without prepaying the full filing fee.
- Whether the prisoner complaint satisfied the screening requirements of 28 U.S.C. § 1915A and the pleading requirements of Federal Rule of Civil Procedure 8(a)(2).

3. Whether the complaint was factually frivolous and therefore subject to dismissal under 28 U.S.C. § 1915A(b).
4. Whether Chapman should receive an opportunity to amend the complaint.

HOLDINGS

1. Chapman's motion for leave to proceed in forma pauperis was granted, and his obligation to pay an initial partial filing fee was waived because he lacked the assets and means to pay it.
2. A prisoner complaint seeking redress from a governmental entity or officer must be screened under 28 U.S.C. § 1915A and must comply with the Federal Rules of Civil Procedure, including Rule 8(a)(2)'s requirement of a short and plain statement showing entitlement to relief.
3. Chapman's complaint was factually frivolous and was subject to dismissal under 28 U.S.C. § 1915A(b).
4. Chapman was permitted to file an amended complaint by December 19, 2025 if he could cure the factual and legal deficiencies identified by the court.

KEY QUOTATIONS

“A complaint is factually frivolous if “the facts alleged in the complaint are so nutty (‘delusional’ is the polite word) that they are unbelievable””

“The pleading standard Rule 8 announces does not require ‘detailed factual allegations,’ but it demands more than an unadorned, the-defendant-un”

FACTUAL BACKGROUND

Chapman, an incarcerated pro se plaintiff, alleged that his children were at risk because of blue-eyed and green-eyed people, that judges were racist and had called him racially derogatory names, that major media corporations had stolen his intellectual property, and that white supremacists engaged in child pornography in public. The court characterized the complaint as a rambling inventory of mostly unrelated alleged wrongs.

PROCEDURAL HISTORY

Chapman, proceeding pro se and incarcerated at the Milwaukee County Jail, filed a § 1983 complaint and moved to proceed without prepaying the filing fee. The district court granted the in forma pauperis motion, screened the complaint, found it factually frivolous, and granted Chapman an opportunity to amend by December 19, 2025 or voluntarily dismiss the action.

DISPOSITION

other

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN QUEONTAY
DL CHAPMAN, Plaintiff, v. Case No. 25-cv-1612-bhl MILWAUKEE COUNTY JAIL and

OFFICER NOLAN, Defendants. SCREENING ORDER Plaintiff Queontay DL Chapman, who is currently incarcerated at the Milwaukee County Jail and representing himself, filed a complaint under 42 U.S.C. §1983, alleging that his civil rights were violated.

This matter comes before the Court on Chapman's motion for leave to proceed without prepaying the full filing fee and to screen the complaint. MOTION TO PROCEED WITHOUT PREPAYING THE FILING FEE Chapman has requested leave to proceed without prepaying the full filing fee (in forma pauperis). A prisoner plaintiff proceeding in forma pauperis is required to pay the full amount of the \$350.00 filing fee over time.

See 28 U.S.C. §1915(b)(1). As required under 28 U.S.C. §1915(a)(2), Chapman filed a certified copy of his prison trust account statement for the six-month period immediately preceding the filing of his complaint. The Court concludes that Chapman lacks the assets and means to pay an initial partial filing fee, so his obligation to do so will be waived and his motion for leave to proceed without prepaying the filing fee will be granted.

SCREENING OF THE COMPLAINT The Court has a duty to review any complaint in which a prisoner seeks redress from a governmental entity or officer or employee of a governmental entity and must dismiss any complaint or portion thereof if the prisoner has raised any claims that are legally "frivolous or malicious," that fail to state a claim upon which relief may be granted, or that seek monetary relief from a defendant who is immune from such relief.

28 U.S.C. §1915A(b). In screening a complaint, the Court must determine whether the complaint complies with the Federal Rules of Civil Procedure and states at least plausible claims for which relief may be granted. To state a cognizable claim under the federal notice pleading system, a plaintiff is required to provide a "short and plain statement of the claim showing that [he] is entitled to relief." Fed.

R. Civ. P. 8(a)(2). It must be at least sufficient to provide notice to each defendant of what he or she is accused of doing, as well as when and where the alleged actions or inactions occurred, and the nature and extent of any damage or injury the actions or inactions caused. "The pleading standard Rule 8 announces does not require 'detailed factual allegations,' but it demands more than an unadorned, the-defendant-unlawfully-harmed-me accusation." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl.*

Corp. v. Twombly, 550 U.S. 544, 555 (2007)). "The tenet that a court must accept as true all of the allegations contained in a complaint is inapplicable to legal conclusions. Threadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice." *Id.* A complaint must contain sufficient factual matter, accepted as true, to "state a claim to relief that is plausible on its face." *Twombly*, 550 U.S. at 570. "A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is

liable for the misconduct alleged.” Id. at 556. “[T]he complaint’s allegations must be enough to raise a right to relief above the speculative level.” Id. at 555 (internal quotations omitted).

THE COURT’S ANALYSIS The complaint consists of a rambling inventory of alleged wrongs, most of which are unrelated. Chapman alleges that his children are at risk because of blue-eyed and green-eyed people, that judges are racist and have called him racially derogatory names, that major media corporations have stolen his intellectual property, and that white supremacists engage in child pornography in public.

Under 28 U.S.C. §1915A(b) a court must dismiss a complaint if the complaint is frivolous. A complaint is factually frivolous if “the facts alleged in the complaint are so nutty (‘delusional’ is the polite word) that they are unbelievable....” *Gladney v. Pendleton Corr. Facility*, 302 F.3d 773, 774 (7th Cir. 2002). Chapman’s complaint is factually frivolous and therefore must be dismissed.

The Seventh Circuit has explained that the norm is to afford a plaintiff at least one opportunity to amend his complaint. See *Zimmerman v. Bornick*, 25 F.4th 491, 494 (7th Cir. 2022). Accordingly, if Chapman believes he can prepare a factually and legally sufficient amended complaint, he may do so by December 19, 2025. Alternatively, as the Court explained in its November 19, 2025 order, Chapman may choose to voluntarily dismiss this action by December 19, 2025, if he wants to avoid incurring a “strike” under 28 U.S.C. §1915(g).

If Chapman neither files an amended complaint nor voluntarily dismisses this action by December 19, 2025, the Court will dismiss this action for the reasons explained in this decision and Chapman will incur a strike under §1915(g). IT IS THEREFORE ORDERED that Chapman’s motion for leave to proceed in forma pauperis (Dkt. No. 2) is GRANTED. IT IS FURTHER ORDERED that on or before December 19, 2025, Chapman may file an amended complaint if he believes he can cure the defects in the original complaint as described in this decision.

Alternatively, by December 19, 2025, Chapman may choose to voluntarily dismiss this action if he wants to avoid incurring a strike under 28 U.S.C. §1915(g). IT IS FURTHER ORDERED that the Clerk’s Office mail Chapman a blank prisoner amended complaint form. IT IS FURTHER ORDERED that the agency having custody of Chapman shall collect from his institution trust account the \$350 filing fee by collecting monthly payments from Chapman’s prison trust account in an amount equal to 20% of the preceding month’s income credited to the prisoner’s trust account and forwarding payments to the Clerk of Court each time the amount in the account exceeds \$10 in accordance with 28 U.S.C. §1915(b)(2).

The payments shall be clearly identified by the case name and number assigned to this action. If Chapman is transferred to another institution, the transferring institution shall forward a copy of this Order along with Chapman’s remaining balance to the receiving institution. IT IS FURTHER

ORDERED that copies of this order be sent to the Office of the Sheriff, Fiscal Operations Room 224, 821 W. State Street, Milwaukee, WI 53233.

IT IS FURTHER ORDERED that plaintiffs who are inmates at Prisoner E-Filing Program institutions must submit all correspondence and case filings to institution staff, who will scan and e-mail documents to the Court. The Prisoner E-Filing Program is mandatory for all inmates of Green Bay Correctional Institution, Waupun Correctional Institution, Dodge Correctional Institution, Wisconsin Secure Program Facility, Columbia Correctional Institution, and Oshkosh Correctional Institution.

Plaintiffs who are inmates at all other prison facilities must submit the original document for each filing to the Court to the following address: Office of the Clerk United States District Court Eastern District of Wisconsin 362 United States Courthouse 517 E. Wisconsin Avenue Milwaukee, Wisconsin 53202 PLEASE DO NOT MAIL ANYTHING DIRECTLY TO THE COURT'S CHAMBERS.

It will only delay the processing of the matter. Chapman is further advised that failure to make a timely submission may result in the dismissal of this action for failure to prosecute. In addition, the parties must notify the Clerk of Court of any change of address. Failure to do so could result in orders or other information not being timely delivered, thus affecting the legal rights of the parties.

Dated at Milwaukee, Wisconsin on November 21, 2025. s/ Brett H. Ludwig BRETT H. LUDWIG
United States District Judge