

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WISCONSIN

Alexander Dickerson v. Bureau of Indian Affairs and Lawrence
William Brunette

Dickerson v. Bureau of Indian Affairs · No. 25-cv-704-jdp · Decided November 25, 2025

SUMMARY

The United States District Court for the Western District of Wisconsin dismissed Alexander Dickerson’s claims against the Bureau of Indian Affairs because sovereign immunity barred challenges concerning land claimed by the United States as trust or restricted Indian land. The court also dismissed claims against Lawrence William Brunette because he died before the lawsuit was filed. The complaint was dismissed without leave to amend, and the case was closed.

CASE DETAILS

COURT	United States District Court for the Western District of Wisconsin
WRITING FOR THE COURT	James D. Peterson
JURISDICTION	United States District Court for the Western District of Wisconsin
DECIDED	November 25, 2025
DOCKET	25-cv-704-jdp
DISPOSITION	dismissed
PROCEDURAL POSTURE	The Bureau of Indian Affairs moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss claims removed from Sawyer County Circuit Court. The court dismissed the claims against the Bureau on sovereign-immunity grounds and dismissed the claims against Brunette because he died before the lawsuit was filed.
STANDARD OF REVIEW	On a motion to dismiss, the court considered the complaint and the warranty deed incorporated by reference into the complaint. The court applied the Rule 12(b)(6) standard and treated sovereign immunity as dispositive.
PRECEDENTIAL VALUE	unpublished district court opinion; precedential status unknown
PARTIES	Alexander Dickerson v. Bureau of Indian Affairs, Lawrence William Brunette

TOPICS

motions to dismiss

indian affairs

title disputes

subject matter jurisdiction

civil procedure

PRACTICE AREAS

civil procedure

sovereign immunity

Indian affairs

real estate

QUESTIONS PRESENTED

1. Whether sovereign immunity barred Dickerson's claims against the Bureau of Indian Affairs concerning land in which the United States claimed an interest as trust or restricted Indian land.
2. Whether Dickerson could maintain claims against Lawrence William Brunette when Brunette died before the lawsuit was filed.
3. Whether Dickerson should be granted leave to amend his complaint.

HOLDINGS

1. The Quiet Title Act's waiver of federal sovereign immunity does not apply when the United States claims an interest in land as trust or restricted Indian land. Because Dickerson's allegations and the incorporated warranty deed showed that the United States claimed an interest in the disputed land in that capacity, his claims against the Bureau were barred by sovereign immunity.
2. A plaintiff cannot maintain a federal lawsuit against a person who died before the lawsuit was brought, and substitution under Federal Rule of Civil Procedure 25(a)(1) is unavailable in that circumstance.
3. Leave to amend was properly denied because further amendment would be futile.

KEY QUOTATIONS

“The Quiet Title Act of 1972, 28 U.S.C. § 2409a, is “the exclusive means by which adverse claimants [can] challenge the United States’ title to real property.”” (Analysis)

“But this waiver of sovereign immunity is limited, including by “the preservation of immunity in cases where the United States claims an interest in land as trust or restricted Indian land.”” (Analysis)

“A party cannot maintain a federal lawsuit against a dead person.” (Analysis)

FACTUAL BACKGROUND

Dickerson alleged that Lawrence William Brunette, using the alias Lawrence William Manypenny, fraudulently recorded a 1980 warranty deed concerning 80 acres of federal Indian land. The deed stated that the land had been purchased by the United States in trust for Brunette, and Dickerson alleged that the land belonged to the Manypenny family and that his late wife was an heir. Dickerson also alleged that the Bureau conducted a right-of-way agreement without the Manypenny family's input and sought damages and injunctive relief.

PROCEDURAL HISTORY

Dickerson filed a small claims action in Sawyer County Circuit Court against the Bureau of Indian Affairs and Lawrence William Brunette. The Bureau removed the case to the Western District of Wisconsin and moved to dismiss. The federal court granted the Bureau's corrected motion, denied the original motion as moot, dismissed the complaint without leave to amend, and directed the clerk to enter judgment and close the case.

DISPOSITION

dismissed

CASES CITED

- Tellabs, Inc. v. Makor Issues & Rts., Ltd., 551 U.S. 308, 322 (2007)
- Block v. N. Dakota ex rel. Bd. of Univ. & Sch. Lands, 461 U.S. 273, 286 (1983)
- Shawnee Trail Conservancy v. U.S. Dep't of Agric., 222 F.3d 383, 388 (7th Cir. 2000)
- United States v. Mottaz, 476 U.S. 834, 843 (1986)
- LN Mgmt., LLC v. JPMorgan Chase Bank, N.A., 957 F.3d 943, 955 (9th Cir. 2020)
- Macklin v. Serrano, No. 19-cv-583, 2020 WL 6323079, at *2 (E.D. Wis. Oct. 28, 2020)
- Felton v. City of Chicago, 827 F.3d 632, 636 (7th Cir. 2016)
- Bogie v. Rosenberg, 705 F.3d 603, 608 (7th Cir. 2013)