

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OHIO, EASTERN DIVISION

Michael J. Izquierdo v. United States

Izquierdo · No. 4:25CV02496 · Decided March 6, 2026

SUMMARY

The United States District Court for the Northern District of Ohio dismissed Michael J. Izquierdo’s pro se action challenging the constitutionality of the rule denying attorney’s fees to nonlawyer pro se litigants and the alleged bar on pro se False Claims Act qui tam actions. The court granted leave to proceed in forma pauperis but dismissed the complaint without prejudice for lack of Article III standing and denied the motion for declaratory judgment.

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio, Eastern Division
WRITING FOR THE COURT	John R. Adams
JURISDICTION	United States District Court for the Northern District of Ohio
DECIDED	March 6, 2026
DOCKET	4:25CV02496
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought an action seeking declaratory relief challenging the constitutionality of rules barring nonlawyer pro se litigants from recovering attorney fees and prosecuting False Claims Act qui tam actions. The district court granted plaintiff's application to proceed in forma pauperis, denied his motion for declaratory judgment, and dismissed the action without prejudice under 28 U.S.C. § 1915(e) for lack of standing.
STANDARD OF REVIEW	The court liberally construed the pro se pleading and reviewed the in forma pauperis action under 28 U.S.C. § 1915(e), dismissing if the action failed to state a claim or lacked an arguable basis in law or fact. The court also independently assessed Article III standing as a threshold jurisdictional issue.
PRECEDENTIAL VALUE	Unknown

PARTIES

Michael J. Izquierdo v. United States of America

TOPICS

standing

subject matter jurisdiction

declaratory judgment

civil procedure

due process

PRACTICE AREAS

civil procedure

constitutional law

civil rights

remedies

QUESTIONS PRESENTED

1. Whether plaintiff established Article III standing to seek declaratory relief based on possible future loss of attorney-fee recovery in unidentified litigation.
2. Whether plaintiff established Article III standing based on his asserted desire and purported ability to file a future False Claims Act qui tam action.
3. Whether the action should be dismissed without prejudice under 28 U.S.C. § 1915(e) for lack of standing.

HOLDINGS

1. Plaintiff lacked Article III standing because his alleged loss of attorney-fee recovery was based on unnamed litigation and the mere possibility that he might prevail and seek fees, which did not constitute an actual or imminent injury.
2. Plaintiff lacked standing based on his asserted possession of information about potential False Claims Act violations and desire to file a qui tam action because the proposed future lawsuit was conjectural and did not establish a concrete injury.
3. The action was dismissed without prejudice under 28 U.S.C. § 1915(e) because plaintiff lacked standing to present an actual case or controversy.

KEY QUOTATIONS

“Standing “is an essential and unchanging part of the case-or- controversy requirement of Article III.””

“Plaintiff’s claim that his participation in unnamed federal litigation where the possibility exists to recover attorney fees is mere speculation and is insufficient to establish standing.”

“Plaintiff’s purported knowledge of a violation of a statute and the desire to file a lawsuit is mere conjecture and is not sufficiently concrete to confer federal jurisdiction.”

FACTUAL BACKGROUND

Plaintiff alleged that he was actively engaged in unnamed federal litigation and administrative proceedings in which prevailing parties might ordinarily recover attorney fees, but he identified no case in which he had prevailed or was likely to suffer the asserted loss. He also alleged that he possessed information about potential

False Claims Act violations but could not file a qui tam action pro se because of the representation requirement. The court found both alleged injuries speculative rather than actual or imminent.

PROCEDURAL HISTORY

Izquierdo filed a pro se complaint and a motion for declaratory judgment, alleging that restrictions on pro se litigants' recovery of attorney fees and prosecution of False Claims Act qui tam actions violated constitutional rights. The district court granted in forma pauperis status but concluded that plaintiff had not shown an actual or imminent injury sufficient for Article III standing. The court dismissed the action without prejudice and certified that an appeal could not be taken in good faith.

DISPOSITION

dismissed

CASES CITED

- Kay v. Ehrler, 499 U.S. 432, 435 (1991)
- Boag v. MacDougall, 454 U.S. 364, 365 (1981) (per curiam)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Neitzke v. Williams, 490 U.S. 319, 327 (1989)
- Lawler v. Marshall, 898 F.2d 1196 (6th Cir. 1990)
- Sistrunk v. City of Strongsville, 99 F.3d 194, 197 (6th Cir. 1996)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 564 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 677-78 (2009)
- Bibbo v. Dean Witter Reynolds, Inc., 151 F.3d 559, 561 (6th Cir. 1998)
- Lujan v. Defenders of Wildlife, 504 U.S. 555, 560-61 (1992)
- Hayden v. 2K Games, Inc., 375 F. Supp. 3d 823, 829 (N.D. Ohio 2019)
- National Rifle Association of America v. Magaw, 132 F.3d 272, 279-80 (6th Cir. 1997)
- Kitchen v. Whitmer, 106 F.4th 525, 533 (6th Cir. 2024)
- Friends of the Earth, Inc. v. Laidlaw Environmental Services, Inc., 528 U.S. 167, 180-81 (2000)
- Louisville City School District Board of Education v. Ohio Association of Public School Employees, No. 5:19-cv-1509, 2020 U.S. Dist. LEXIS 69739, 2020 WL 1930131, at *5-6 (N.D. Ohio Apr. 21, 2020)