

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

Myisha Nicole Mukaabya v. Judge Mark J. Kolmacic, et al.

Mukaabya · No. 4:25 CV 02177 · Decided March 31, 2026

SUMMARY

The United States District Court for the Northern District of Ohio dismissed Myisha Nicole Mukaabya’s pro se civil rights action against state and local judicial, prosecutorial, law-enforcement, school, probation, postal, and legal-service defendants. The court held that claims challenging the validity of her state-court conviction were barred or unavailable under Heck v. Humphrey and related doctrines, and it found various defendants immune or not subject to suit. The court also dismissed the mail-related claims on sovereign-immunity and pleading grounds and dismissed the legal-malpractice claim for lack of subject-matter jurisdiction.

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio, Eastern Division
WRITING FOR THE COURT	Benita Y. Pearson
JURISDICTION	United States District Court for the Northern District of Ohio, Eastern Division
DECIDED	March 31, 2026
DOCKET	4:25 CV 02177
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se plaintiff brought a civil rights action under 42 U.S.C. § 1983 and asserted related claims concerning a state criminal conviction, mail handling, and alleged legal malpractice. After notifying plaintiff that the original complaint failed to state a claim and granting leave to amend, the court construed the attached amended complaint as operative and dismissed the action.
STANDARD OF REVIEW	The court reviewed the pro se amended complaint for failure to state a claim and for subject matter jurisdiction.
PRECEDENTIAL VALUE	unpublished district-court memorandum and order; generally nonprecedential

PARTIES

Myisha Nicole Mukaabya v. Judge Mark J. Kolmacic, Prosecutor Lynn Maro, Retired Judge Patrick P. Cunning, Yanitza Tomes Luciana, Former Prosecutor Brian J. Macala, Campbell Police Department, James Goski, Attorney Hall, Probation Officer Jean Darkadakis, Tamika

TOPICS

section 1983 federal habeas corpus sovereign immunity subject matter jurisdiction civil procedure

PRACTICE AREAS

civil rights constitutional law federal jurisdiction prisoner civil rights torts

QUESTIONS PRESENTED

1. Whether plaintiff could use an action under 42 U.S.C. § 1983 to challenge the validity of her state-court conviction, probation violation, or requested release.
2. Whether plaintiff's damages claims implicating the validity of her conviction were barred because the conviction had not been reversed, expunged, invalidated, or called into question by habeas relief.
3. Whether the claims against several defendants failed because plaintiff did not allege their personal involvement.
4. Whether the judicial, prosecutorial, and probation-officer defendants were protected by absolute or quasi-judicial immunity.
5. Whether the Campbell Police Department was a suable entity under Ohio law and § 1983.
6. Whether the court had subject matter jurisdiction over plaintiff's mail-related FTCA claims against a Postal Service employee.
7. Whether the court had subject matter jurisdiction over plaintiff's state-law legal-malpractice claim against Attorney Hall.

HOLDINGS

1. A civil rights action under 42 U.S.C. § 1983 is not an appropriate vehicle to challenge the validity or duration of a state conviction or sentence when the plaintiff seeks immediate or speedier release; the proper federal remedy is habeas corpus.
2. A plaintiff may not recover damages under § 1983 for an allegedly unconstitutional conviction or imprisonment, or for harm caused by conduct whose unlawfulness would render the conviction or sentence invalid, unless the conviction has already been reversed, expunged, invalidated, or called into question through habeas relief.
3. A § 1983 plaintiff must show each defendant's personal involvement in the alleged unconstitutional conduct; judicial officers are absolutely immune from damages for judicial acts absent nonjudicial conduct or action in complete absence of subject-matter jurisdiction; prosecutors are absolutely immune

for prosecutorial functions; and probation officers receive quasi-judicial immunity for determining probation violations.

4. The court lacked jurisdiction over plaintiff's mail-related FTCA claims because she did not name the United States and, in any event, the FTCA preserves sovereign immunity for claims arising from loss, miscarriage, or negligent transmission of mail. The court also lacked subject matter jurisdiction over the legal-malpractice claim against Attorney Hall because the claim arose under state law and plaintiff did not establish diversity jurisdiction.

KEY QUOTATIONS

“when a prisoner is challenging “the very fact or duration of his physical imprisonment, and the relief he [or she] seeks is a determination that he [or she] is entitled to immediate release or a speedier release from that imprisonment, his [or her] sole federal remedy is a writ of habeas corpus.”” (at 4)

“A plaintiff cannot establish the liability of any defendant absent a clear showing that the defendant was personally involved in the activities that form the basis of the alleged unconstitutional behavior.” (at 5)

“They are accorded this broad protection to ensure that the independent and impartial exercise of their judgment in a case is not impaired by the exposure to damages by dissatisfied litigants.” (at 6)

“The courts are not required to conjure unpleaded facts or construct claims against defendants on behalf of a pro se plaintiff.” (at 9)

FACTUAL BACKGROUND

Mukaabya appeared to challenge a Campbell Municipal Court domestic-violence conviction and related probation proceedings, alleging constitutional violations involving her waiver of speedy trial rights, lack of a preliminary hearing, bond modification, child-services actions, arrest-related accusations, and a plea agreement. She also complained about mail allegedly lost, misdelivered, or opened by the U.S. Postal Service and about an attorney's refusal to represent her and return all of her documents. She sought termination of probation, expungement of her criminal record, and monetary relief.

PROCEDURAL HISTORY

Mukaabya filed a civil rights complaint and several motions to supplement it. The court notified her that the complaint was legally insufficient, granted thirty days to amend, granted leave to amend, construed the attached document as the operative complaint, and denied the earlier motions to supplement as moot. The court then dismissed claims against all defendants and certified that an appeal could not be taken in good faith.

DISPOSITION

dismissed

CASES CITED

- Preiser v. Rodriguez, 411 U.S. 475 (1973)

- Heck v. Humphrey, 512 U.S. 477 (1994)
- Wright v. Kinneary, 46 F. App'x 250 (6th Cir. 2002)
- Potts v. Olds, No. 3:10CV1186, 2010 U.S. Dist. LEXIS 73602 (N.D. Ohio July 21, 2010)
- Rizzo v. Goode, 423 U.S. 362 (1976)
- Murphy v. Grenier, 406 F. App'x 972 (6th Cir. 2011)
- Mireles v. Waco, 502 U.S. 9 (1991)
- Barnes v. Winchell, 105 F.3d 1111 (6th Cir. 1997)
- Stump v. Sparkman, 435 U.S. 349 (1978)
- Sevier v. Turner, 742 F.2d 262 (6th Cir. 1984)
- Burns v. Reed, 500 U.S. 478 (1991)
- Imbler v. Pachtman, 424 U.S. 409 (1976)
- Joseph v. Patterson, 795 F.2d 549 (6th Cir. 1986)
- Grant v. Hollenbach, 870 F.2d 1135 (6th Cir. 1989)
- Bush v. Rauch, 38 F.3d 842 (6th Cir. 1994)
- Foster v. Walsh, 864 F.2d 416 (6th Cir. 1988)
- Huffer v. Bogen, 503 F. App'x 455 (6th Cir. 2012)
- Lawson v. City of Youngstown, 912 F. Supp. 2d 527 (N.D. Ohio 2012)
- Lloyd v. City of Streetsboro, No. 18-3485, 2018 WL 11298664 (6th Cir. Dec. 20, 2018)
- Williams v. Curtin, 631 F.3d 380 (6th Cir. 2011)
- Pilgrim v. Littlefield, 92 F.3d 413 (6th Cir. 1996)
- Grinter v. Knight, 532 F.3d 567 (6th Cir. 2008)
- Beaudett v. City of Hampton, 775 F.2d 1274 (4th Cir. 1985)
- Erwin v. Edwards, 22 F. App'x 579 (6th Cir. 2001)
- Allgeier v. United States, 909 F.2d 869 (6th Cir. 1990)
- Anderson v. United States Postal Service, 761 F.2d 527 (9th Cir. 1985)
- Kokkonen v. Guardian Life Insurance Co. of America, 511 U.S. 375 (1994)
- Johnson v. Johnson, 157 F.4th 813 (6th Cir. 2025)
- Caterpillar Inc. v. Williams, 482 U.S. 386 (1987)