

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WISCONSIN

Jesse Schworck v. Dane County Circuit Judge Stephanie R. Hilton,
Wisconsin Court of Appeals, Wisconsin Supreme Court, and the
State of Wisconsin

25-cv-943-wmc · No. 25-cv-943-wmc · Decided April 1, 2026

SUMMARY

The United States District Court for the Western District of Wisconsin dismissed Jesse Schworck’s pro se 42 U.S.C. § 1983 complaint arising from state divorce proceedings. The court held that the claims were barred or deficient based on state and judicial immunity, lack of personal involvement, the Rooker-Feldman doctrine, the domestic-relations exception, and the absence of private rights of action under the cited criminal statutes. The complaint was dismissed without prejudice for lack of jurisdiction, and a motion for expedited review was denied as moot.

CASE DETAILS

COURT	United States District Court for the Western District of Wisconsin
WRITING FOR THE COURT	William M. Conley
JURISDICTION	United States District Court for the Western District of Wisconsin
DECIDED	April 1, 2026
DOCKET	25-cv-943-wmc
DISPOSITION	dismissed
PROCEDURAL POSTURE	Screening dismissal of a pro se civil-rights complaint filed in forma pauperis under 28 U.S.C. § 1915(e)(2)(B).
STANDARD OF REVIEW	During screening under 28 U.S.C. § 1915(e)(2)(B), the court accepts well-pleaded allegations as true, reads a self-represented litigant’s complaint generously, draws reasonable inferences in the plaintiff’s favor, and dismisses claims that are frivolous, malicious, fail to state a claim, or seek relief from an immune defendant.
PRECEDENTIAL VALUE	unpublished district court opinion

TOPICS

subject matter jurisdiction

section 1983

sovereign immunity

civil procedure

family law procedure

PRACTICE AREAS

civil procedure

constitutional law

civil rights

family law

remedies

QUESTIONS PRESENTED

1. Whether the State of Wisconsin and Wisconsin courts are persons subject to suit under 42 U.S.C. § 1983.
2. Whether claims against state judges and the Attorney General are barred by Eleventh Amendment sovereign immunity or judicial immunity, or fail for lack of personal involvement.
3. Whether the Rooker-Feldman doctrine deprives the federal district court of subject-matter jurisdiction over claims directly challenging state-court divorce judgments.
4. Whether the domestic-relations exception independently deprives the federal court of jurisdiction over the divorce-related dispute.
5. Whether 18 U.S.C. §§ 241 and 242 provide a private right of action or authorize a private plaintiff to compel prosecution or arrest.

HOLDINGS

1. The State of Wisconsin and its agencies, including the Wisconsin Court of Appeals and Wisconsin Supreme Court, are not persons subject to suit under § 1983.
2. Official-capacity claims for damages against the state judges and Attorney General are barred by Eleventh Amendment sovereign immunity; individual-capacity claims against the judges are barred by judicial immunity; and the individual-capacity claim against Attorney General Kaul fails because Schworck alleged no personal involvement.
3. The Rooker-Feldman doctrine deprives the federal district court of subject-matter jurisdiction over Schworck's claims because he directly challenges and seeks to invalidate state-court judgments.
4. Even if Rooker-Feldman did not apply, the domestic-relations exception would deprive the federal court of jurisdiction over Schworck's challenge to the divorce proceeding.
5. 18 U.S.C. §§ 241 and 242 do not provide a private right of action, and Schworck cannot obtain an order compelling the arrest or prosecution of another person.

KEY QUOTATIONS

“The Rooker-Feldman doctrine prohibits federal courts from exercising subject matter jurisdiction over claims seeking review of state court judgments.”

“Plaintiff is not otherwise entitled to an order requiring the arrest or prosecution of any individual.”

FACTUAL BACKGROUND

In 2019, Vera Amondi Okello petitioned the Dane County Circuit Court for a divorce from Jesse Schworck and sought child support. Schworck argued that the marriage was fraudulent or invalid, that he had initiated

proceedings in Kenya to declare it void, and that Okello was unlawfully present in the United States. After Wisconsin courts proceeded with the divorce and denied Schworck relief on appeal, he filed this federal action seeking to void the state-court judgments, obtain damages, and compel Okello's arrest and deportation.

PROCEDURAL HISTORY

Schworck filed a 42 U.S.C. § 1983 complaint challenging rulings and judgments entered in Wisconsin divorce and related proceedings, naming state judges, Wisconsin courts, the State of Wisconsin, and the Wisconsin Attorney General as defendants. The district court screened the complaint and dismissed it without prejudice for lack of jurisdiction, denying as moot his motion for expedited review.

DISPOSITION

dismissed

CASES CITED

- Haines v. Kerner, 404 U.S. 519, 521 (1972)
- General Electric Capital Corp. v. Lease Resolution Corp., 128 F.3d 1074, 1080 (7th Cir. 1997)
- London v. RBS Citizens, N.A., 600 F.3d 742, 745-46 (7th Cir. 2010)
- Will v. Michigan Department of State Police, 491 U.S. 58, 65-66, 71 (1989)
- Brokaw v. Mercer County, 235 F.3d 1000, 1009 (7th Cir. 2000)
- Stump v. Sparkman, 435 U.S. 349, 359 (1978)
- Minix v. Canarecci, 597 F.3d 824, 833-34 (7th Cir. 2010)
- Maple Lanes, Inc. v. Messer, 186 F.3d 823, 825 (7th Cir. 1999)
- Rooker v. Fidelity Trust Co., 263 U.S. 413, 415-16 (1923)
- D.C. Court of Appeals v. Feldman, 460 U.S. 462, 482-83, 486 (1983)
- Exxon Mobil Corp. v. Saudi Basic Industries Corp., 544 U.S. 280, 284 (2005)
- Andrade v. City of Hammond, 9 F.4th 947, 950 (7th Cir. 2021)
- Swartz v. Heartland Equine Rescue, 940 F.3d 387, 391 (7th Cir. 2019)
- Ankenbrandt v. Richards, 504 U.S. 689, 703 (1992)
- Central Bank, N.A. v. First Interstate Bank, N.A., 511 U.S. 164, 190 (1994)
- Norman v. Campbell, 87 F. App'x 582, 584 (7th Cir. 2003)
- Heckler v. Chaney, 470 U.S. 821, 831 (1985)
- Del Marcell v. Brown County Corp., 680 F.3d 887, 901-02 (7th Cir. 2012) (Easterbrook, C.J., concurring)
- Linda R.S. v. Richard D., 410 U.S. 614, 619 (1973)
- Felton v. City of Chicago, 827 F.3d 632, 636 (7th Cir. 2016)