

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

Ryne Jon Schnell v. Waukesha County Technical College, Michelle
Skinder, Jonathan Pedraza, Sam Saeger, Michael Lango, and Lindsey
Davis

Schnell · No. 26-CV-499-JPS-JPS · Decided May 15, 2026

SUMMARY

The United States District Court for the Eastern District of Wisconsin addresses procedural issues in Ryne Jon Schnell’s pro se civil action, including his unauthorized second amended complaint, motions to proceed without prepaying fees, appoint counsel, seal filings, and obtain disability-related relief. The court accepts the second amended complaint for the present but directs Schnell to submit documentation concerning any legal guardianship and to file that documentation with a motion to seal. The court also explains the potential consequences of parallel proceedings before the Department of Education’s Office for Civil Rights and permits voluntary dismissal without prejudice under Federal Rule of Civil Procedure 41(a)(1)(A).

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	J.P. Stadtmueller
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	May 15, 2026
DOCKET	26-CV-499-JPS-JPS
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a federal civil-rights action and successive amended complaints while the original complaint remained subject to screening under 28 U.S.C. § 1915(e)(2). The court addressed Plaintiff’s motions to proceed without prepaying the filing fee, appoint counsel, seal filings, and obtain miscellaneous disability-related relief, and ordered him to provide guardianship documentation and a related motion to seal before the court determined how to proceed.
PRECEDENTIAL VALUE	Nonprecedential district-court order

PARTIES

Ryne Jon Schnell v. Waukesha County Technical College, Michelle Skinder, Jonathan Pedraza, Sam Saeger, Michael Lango, Lindsey Davis

TOPICS

motion to amend

guardianship procedure

guardian ad litem

civil procedure

ada / disability

PRACTICE AREAS

Civil procedure

Civil rights

Disability law

Guardianship and representation

QUESTIONS PRESENTED

1. Whether the court should accept Plaintiff's second amended complaint despite his failure to obtain leave to amend or comply with the local rule requiring identification of proposed changes.
2. Whether information concerning Plaintiff's alleged guardianship and competency is necessary before the court can decide how to handle his motion for appointment of counsel and his ability to represent himself.
3. Whether Plaintiff may voluntarily dismiss the federal action without prejudice while a related Office for Civil Rights proceeding is pending.

HOLDINGS

1. Although Plaintiff was required to obtain leave of court before filing a second amended complaint and failed to comply with the applicable local rule, the court excused the noncompliance once because Plaintiff was proceeding pro se and treated the second amended complaint as the operative pleading. The court warned that future failures to follow applicable amendment rules would result in the filings being stricken.
2. The court required Plaintiff to submit documentation concerning any legal guardianship, including court documents and statements from his parents, accompanied by a motion to seal, so the court could determine whether appointment of counsel or another protective measure was necessary and whether Plaintiff could represent himself.

KEY QUOTATIONS

"A party may amend its pleading once as a matter of course"

"In all other cases, a party may amend its pleading only with the opposing party's written consent or the court's leave."

"appoint a guardian ad litem—or issue another appropriate order—to protect a minor or incompetent person who is unrepresented in an action."

FACTUAL BACKGROUND

Plaintiff alleged that his parents are his legal or court-appointed guardians and also alleged that he has a disability. He is an adult, apparently born in 1985, and is enrolled in or otherwise participates in community college. His filings referenced a parallel proceeding before the U.S. Department of Education Office for Civil Rights concerning related facts.

PROCEDURAL HISTORY

The action was filed in late March 2026. Plaintiff filed an amended complaint on April 10, 2026, and a second amended complaint on May 12, 2026, without seeking leave for the second amendment. The court excused the pro se plaintiff's noncompliance for that instance, treated the second amended complaint as operative, and directed Plaintiff to submit documentation concerning any legal guardianship by June 15, 2026.

DISPOSITION

other

CASES CITED

- Ryne Schnell v. Party Sealed by Judge Horlacher, Waukesha Cnty. Cir. Ct. Case No. 2026CV000412
- Vlasek v. Nemitz, 70 F. App'x 363, 367 (7th Cir. 2003)
- T.W. by Enk v. Brophy, 124 F.3d 893, 895 (7th Cir. 1997)
- Navin v. Park Ridge Sch. Dist., 270 F.3d 1147, 1148–49 (7th Cir. 2001) (per curiam)
- Henson v. CSC Credit Servs., 29 F.3d 280, 284 (7th Cir. 1994)

OPINION

Schnell

PER CURIAM.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WISCONSIN

RYNE JON SCHNELL,

Plaintiff, Case No. 26-CV-499-JPS-JPS v.

WAUKESHA COUNTY TECHNICAL ORDER

COLLEGE, MICHELLE SKINDER,

JONATHAN PEDRAZA, SAM

SAEGER, MICHAEL LANGO, and

LINDSEY DAVIS,

Defendants. This case has been pending since late March 2026, ECF No. 1, with Plaintiff Ryne Jon Schnell ("Plaintiff") filing an amended complaint on April 10, 2026, ECF No. 7, and a second amended complaint on May 12, 2026, ECF No. 8. The operative complaint is awaiting screening pursuant to 28 U.S.C. § 1915(e)(2). Plaintiff moves for leave to proceed without prepaying the filing fee. ECF No. 2. Plaintiff also moves to appoint counsel, ECF No. 3, to seal certain filings,

ECF No. 4, and for miscellaneous relief related to his disability, ECF No. 5. As a threshold matter, Plaintiff's second amended complaint is improper. "A party may amend its pleading once as a matter of course" FED. R. CIV. P. 15(a)(1) (emphasis added). Plaintiff has already done so. ECF No. 7. "In all other cases, a party may amend its pleading only with the opposing party's written consent or the court's leave." *Id.* at 15(a)(2). Plaintiff failed to seek leave to amend his complaint again, and further failed to "state specifically what changes are sought by the proposed amendments." CIV. L.R. 15(b). Because Plaintiff is proceeding pro se, the Court will excuse his noncompliance with federal and local rules just this once, and will consider the second amended complaint to be the operative pleading in this matter. However, Plaintiff is warned that any further failure to follow applicable rules for amending his complaint will result in any such filings being stricken. Moreover, the Court clarifies that, at this stage in the case, before he has been permitted to proceed at all, see 28 U.S.C. § 1915(e)(2), Plaintiff need not file an amended complaint every time he wants to allege additional or later-occurring facts, especially if his legal claims are staying more or less the same. Compare ECF No. 7 at 32–34 with ECF No. 8 at 39–42. If Plaintiff's case is permitted to proceed past screening, he may seek leave to amend later in the case to add the facts that he believes have become relevant. Alternatively, if the facts underlying Plaintiff's claims are still developing, he may file a notice of voluntary dismissal, as explained further below, and refile the case when the facts are fully developed. Preliminary review of Plaintiff's operative complaint has brought a potential issue to the Court's attention. Plaintiff's amended complaint at several points references his parents as his "legal guardians" or "court-appointed guardians." ECF No. 8 at 8, 20–23, 29, 30–35, 40–42. Plaintiff does not appear to be a minor. See generally *id.* (raising allegations related to Plaintiff's participation in community college); *Ryne Schnell v. Party Sealed by Judge Horlacher, Waukesha Cnty. Cir. Ct. Case No. 2026CV000412*, available at <https://wcca.wicourts.gov/caseDetail.html?caseNo=2026CV000412&countyNo=67&index=0&mode=details> (last visited May 15, 2026) (providing 1985 as Plaintiff's year of birth).¹ In his motion to appoint counsel Plaintiff asserts that his disability, as well as the complexity of this case, warrants appointment of an attorney to represent him. See ECF No. 3 at 2–3. In light of Plaintiff's assertions that his parents are his legal guardians and that he has a disability, the Court is not certain whether Plaintiff can be considered competent to represent himself. While appointment of counsel in civil cases is generally up to the discretion of the district court, 28 U.S.C. § 1915(e)(1), an adult who is a "ward"² of his parent cannot proceed pro se, nor can he be represented by a non-lawyer. *Vlasek v. Nemitz*, 70 F. App'x 363, 367 (7th Cir. 2003) (citing *T.W. by Enk v. Brophy*, 124 F.3d 893, 895 (7th Cir. 1997) and *Navin v. Park Ridge Sch. Dist.*, 270 F.3d 1147, 1148–49 (7th Cir. 2001) (per curiam)). The Court is, at the very least, required to "appoint a guardian ad litem—or issue another appropriate order—to protect a minor or incompetent person who is unrepresented in an action." FED. R. CIV. P. 17(c)(2). The Court acknowledges that Plaintiff explicitly requests not to represent himself, see generally ECF No. 3, while also noting that Plaintiff describes himself as a "high-performing student," *id.* at 2, and that

Plaintiff's filings are generally cogent. However, Plaintiff's competency will 1The Court may take judicial notice of public records, including state court records. See *Henson v. CSC Credit Servs.*, 29 F.3d 280, 284 (7th Cir. 1994). 2 "In a legal context, a ward refers to a person who is under the protection, care, or guardianship of another individual, typically due to being a minor or legally incapacitated. Courts appoint guardians to oversee the well-being and decision-making of wards who are unable to care for themselves." "Ward," CORNELL LAW SCH. LEGAL INFO. INST., <https://www.law.cornell.edu/wex/ward> [perma.cc/RK3G-6GWC] (last visited Apr. 29, 2026) (italics removed). drive how the Court handles Plaintiff's motion to appoint counsel as well as his pleadings and the other motions that he has filed. The Court therefore needs additional information to determine how best to proceed in this case. Therefore, Plaintiff is directed to submit documentation related to any legal guardianship to which he is subject, including but not limited to court documents establishing legal guardianship and statements from his parents. Plaintiff should submit these documents accompanied by a motion to seal, thus ensuring that only the Court will be able to see them unless it orders otherwise. See GEN. L.R. 79(d). The Court will utilize these documents only for purposes of evaluating the necessity of appointment of counsel and Plaintiff's ability to represent himself. Plaintiff shall file these documents on or before June 15, 2026. Once the Court receives this documentation, it will issue an order providing further direction for this case. On a final note, Plaintiff's operative complaint references a parallel proceeding before the United States Department of Education Office for Civil Rights ("OCR"). ECF No. 7 at 12–13, 20, 29. Plaintiff "may have the right" to file this federal lawsuit even while the OCR proceedings are pending. How the Office for Civil Rights Handles Complaints, U.S. DEP'T OF ED., <https://www.ed.gov/laws-and-policy/civil-rights-laws/file-complaint/how-the-office-for-civil-rights-handles-complaints> [perma.cc/SC5D-47CC] (last visited Apr. 29, 2026). However, in the interest of avoiding duplicative proceedings and ensuring consistency in judgments, it may not be prudent for Plaintiff to prosecute two separate matters regarding the same facts at the same time. Should Plaintiff wish to voluntarily dismiss this federal lawsuit while his OCR complaint is pending, he may do so under Federal Rule of Civil Procedure 41(a)(1)(A). Such a dismissal would operate without prejudice, allowing him to potentially refile the lawsuit at a later time. FED. R. Civ. P. 41(a)(1)(B). If Plaintiff opts to voluntarily dismiss this case, he is responsible for researching and noting any statute of limitations concerns. Accordingly, IT IS ORDERED that, on or before June 15, 2026, Plaintiff Ryne Jon Schnell shall FILE documentation in accordance with the instructions herein, together with a motion to seal that submission. Dated at Milwaukee, Wisconsin, this 15th day of May, 2026. wee a) J.P. Stach ueller U.S) Disttict Judge Page 5 of 5