

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
TENNESSEE, COLUMBIA DIVISION

**ASHLEY HUMPHREY, individually and as next friend of J.H., a
minor v. MAURY COUNTY BOARD OF EDUCATION, et al.**

No. 1:26-cv-00037 · No. 1:26-cv-00037 · Decided April 20, 2026

SUMMARY

The court grants Plaintiff Ashley Humphrey’s application to proceed in forma pauperis and conducts an initial review of her claims concerning alleged disability-based harassment, failure to accommodate, equal protection violations, and retaliation involving her minor son’s public education. The court directs that the complaint be sealed because it disclosed the minor’s full name and requires an amended complaint complying with Federal Rule of Civil Procedure 5.2. The court also explains that a pro se parent may not litigate the minor’s Rehabilitation Act, ADA, constitutional, or related state-law claims without counsel, and denies the emergency motion for a temporary restraining order without prejudice.

CASE DETAILS

COURT	United States District Court for the Middle District of Tennessee, Columbia Division
WRITING FOR THE COURT	William L. Campbell Jr.
JURISDICTION	United States District Court for the Middle District of Tennessee, Columbia Division
DECIDED	April 20, 2026
DOCKET	1:26-cv-00037
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a verified complaint asserting federal and state-law claims and an embedded emergency motion for an ex parte temporary restraining order and preliminary injunction. The court granted leave to proceed in forma pauperis, ordered the complaint sealed because it disclosed the minor's full name, required an amended complaint, and denied the emergency motion without prejudice.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2)(B), the court must dismiss an in forma pauperis complaint that is frivolous, malicious, fails to state a claim, or

	seeks monetary relief from an immune defendant. The failure-to-state-a-claim inquiry uses the Rule 12(b)(6) plausibility standard.
PRECEDENTIAL VALUE	unpublished
PARTIES	Ashley Humphrey, individually and as next friend of J.H., a minor v. Maury County Board of Education, Whitthorne Middle School, Various school officials and Maury County officials

TOPICS

civil procedure pleadings injunctions ada / disability equal protection

PRACTICE AREAS

civil procedure civil rights disability discrimination education law remedies

QUESTIONS PRESENTED

1. Whether the complaint complied with Federal Rule of Civil Procedure 5.2(a)(3)'s requirement to protect the identity of a minor.
2. Whether a nonlawyer parent proceeding pro se may assert her minor child's personal claims under the Rehabilitation Act, Title II of the ADA, and the Equal Protection Clause.
3. Whether the embedded emergency motion for a temporary restraining order should be granted while the complaint required sealing and amendment.
4. Whether Plaintiff qualified to proceed in forma pauperis.

HOLDINGS

1. A complaint that repeatedly identifies a minor by the minor's full name does not comply with Federal Rule of Civil Procedure 5.2(a)(3); the complaint may be sealed and the plaintiff required to file a redacted or amended complaint using the minor's initials.
2. A nonlawyer parent proceeding pro se may not plead or conduct litigation asserting the parent's minor child's personal claims under the Rehabilitation Act, Title II of the ADA, or the Equal Protection Clause; if such claims are reasserted without counsel, they are subject to dismissal without prejudice.
3. The emergency motion for a temporary restraining order and preliminary injunction was denied without prejudice because the case was awaiting amendment of the opening pleading and the filing did not comply with the applicable local requirements for a TRO motion.
4. Plaintiff qualified to proceed in forma pauperis because the record showed she could not pay the filing fee in advance without undue hardship.

KEY QUOTATIONS

“Parents cannot appear pro se on behalf of their minor children because a minor’s personal cause of action is [his] own and does not belong to [his] parent or representative.”

“Rule 17(c)(2) authorizes the next friend to bring suit on behalf of a minor; in other words, to facilitate the prosecution of the rights not of the next friend, but of the minor.”

“Thus, Rule 17 cannot be read as authorizing the unlicensed practice of law.”

“The Clerk is DIRECTED to place the Complaint UNDER SEAL and to remove J.H.’s name from the electronic docket.”

FACTUAL BACKGROUND

Plaintiff alleged that her thirteen-year-old son, J.H., has a congenital heart defect and depends on a pacemaker; shortly before filing, he underwent emergency surgery to repair a detached pacemaker lead. She alleged that school officials failed to address disability-based bullying, refused to develop a Section 504 safety plan or provide accommodations, and did not adequately respond to threats after his return to school. Plaintiff asserted Rehabilitation Act, ADA, equal-protection, First Amendment retaliation, and state-law claims, seeking injunctive relief and damages.

PROCEDURAL HISTORY

Humphrey initiated the action on April 16, 2026, proceeding pro se and seeking emergency injunctive relief. The court conducted the required initial screening under 28 U.S.C. § 1915(e)(2)(B), found that the complaint violated the minor-identification requirements of Rule 5.2(a)(3) and improperly asserted claims belonging to the minor through a nonlawyer parent, and allowed 30 days for amendment. The court denied the embedded TRO motion without prejudice pending amendment and compliance with the local TRO rules.

DISPOSITION

other

CASES CITED

- Foster v. Cuyahoga Dep't of Health and Human Servs., 21 F. App'x 239, 240 (6th Cir. 2001)
- Ongori v. Hawkins, No. 16-2781, 2017 WL 6759020, at *1 (6th Cir. Nov. 15, 2017)
- Small v. Brock, 963 F.3d 539, 540 (6th Cir. 2020)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Hill v. Lappin, 630 F.3d 468, 470-71 (6th Cir. 2010)
- Jackson v. Detroit Pub. Schs. Cmty. Dist., No. 25-14190, 2026 WL 27818, at *1 (E.D. Mich. Jan. 5, 2026)
- Johnson v. Fennville, No. 1:21-cv-202, 2021 WL 5579204, at *1-2 (W.D. Mich. May 4, 2021)
- Thomas v. Unknown, No. 18-CV-03060-JCS, 2018 WL 4027021 (N.D. Cal. Aug. 21, 2018)
- Cavanaugh v. Cardinal Local Sch. Dist., 409 F.3d 753, 755 (6th Cir. 2005)
- Winkelman ex rel. Winkelman v. Parma City Sch. Dist., 550 U.S. 516, 533, 535 (2007)
- Maras v. Mayfield City Sch. Dist. Bd. of Educ., No. 22-3915, 2024 WL 449353, at *2 (6th Cir. Feb. 6, 2024), cert. denied, 145 S. Ct. 150, 220 L. Ed. 2d 18 (2024)

- Wirtz v. Medina City Sch. Dist. Bd. of Educ., No. 1:21-CV-1730, 2022 WL 2657138, at *2 (N.D. Ohio July 8, 2022)
- McCoy v. Akron Police Dep't, No. 5:21-cv-51, 2021 WL 1857119, at *1 (N.D. Ohio May 10, 2021)
- N.S. v. Dobson, No. 22-CV-40015-DHH, 2023 WL 8188772, at *1-2 (D. Mass. Jan. 26, 2023)
- Beard v. Branson, 528 S.W.3d 487, 495 (Tenn. 2017)
- Vandergriff v. ParkRidge E. Hosp., 482 S.W.3d 545, 553 (Tenn. Ct. App. 2015)
- Parker v. W. Carroll Sch. Dist., No. 1:20-CV-1044-STA-TMP, 2021 WL 1895243, at *1 (W.D. Tenn. May 11, 2021)
- Shepherd v. Wellman, 313 F.3d 963, 970 (6th Cir. 2002)
- Dunn-Fischer v. Dist. Sch. Bd. of Collier Cnty., No. 2:10-CV-512, 2011 WL 1085036, at *2 (M.D. Fla. Mar. 21, 2011)
- Raskin on behalf of JD v. Dallas Indep. Sch. Dist., 69 F.4th 280, 286 (5th Cir. 2023)
- Link ex rel. Link v. Metro. Gov't of Nashville & Davidson Cnty., No. 3:12-CV-0472, 2012 WL 4506028, at *4-5 (M.D. Tenn. Sept. 28, 2012)
- Burton v. Cleveland Heights-Univ. Heights City Sch. Dist. Bd. of Educ., No. 1:17 CV 134, 2017 WL 4348915, at *4 (N.D. Ohio Sept. 29, 2017)
- Schneider v. Mahopac Cent. Sch. Dist., No. 20-CV-0709 (CS), 2020 WL 509030, at *1 (S.D.N.Y. Jan. 30, 2020)