

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA,  
GREAT FALLS DIVISION

April Ellis v. Frank Torres, et al.

Ellis v. Torres · No. CV 26-09-GF-DWM · Decided April 20, 2026

SUMMARY

The United States District Court for the District of Montana grants Defendants’ motion to stay April Ellis’s 42 U.S.C. § 1983 action under *Younger v. Harris* pending resolution of her related state criminal proceedings. The court concludes that the state criminal case is ongoing, implicates important state interests, and provides an opportunity to raise federal constitutional claims. The court also directs Defendants to move to lift the stay within 30 days of the Montana Supreme Court’s decision and gives Ellis 21 days thereafter to file a compliant amended pleading.

CASE DETAILS

|                       |                                                                                                                                                                  |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of Montana, Great Falls Division                                                                                   |
| WRITING FOR THE COURT | Donald W. Molloy                                                                                                                                                 |
| JURISDICTION          | United States District Court for the District of Montana, Great Falls Division                                                                                   |
| DECIDED               | April 20, 2026                                                                                                                                                   |
| DOCKET                | CV 26-09-GF-DWM                                                                                                                                                  |
| DISPOSITION           | other                                                                                                                                                            |
| PROCEDURAL POSTURE    | Defendants moved to stay Ellis's 42 U.S.C. § 1983 action under <i>Younger v. Harris</i> while related state criminal proceedings remained pending.               |
| STANDARD OF REVIEW    | The court applied the <i>Younger</i> abstention factors to determine whether a stay was appropriate; no deferential appellate standard of review was identified. |
| PRECEDENTIAL VALUE    | nonprecedential district court order                                                                                                                             |
| PARTIES               | April Ellis v. Frank Torres, et al.                                                                                                                              |

TOPICS

- civil procedure
- section 1983
- first amendment
- fourth amendment
- pleadings

## PRACTICE AREAS

civil procedure

constitutional law

civil rights

federal courts

criminal procedure

## QUESTIONS PRESENTED

1. Whether the federal § 1983 action should be stayed under Younger abstention while Ellis's related state criminal proceedings remained pending.
2. Whether Ellis's amended complaint failed to comply with Federal Rule of Civil Procedure 8(a)(1)'s requirement of a short and plain statement.

## HOLDINGS

1. A stay was appropriate under Younger because the related state criminal proceeding was ongoing, judicial in nature, implicated important state interests, and did not bar Ellis from litigating her federal constitutional claims.
2. The 235-page, single-spaced amended complaint containing twenty-nine counts did not comply with Rule 8(a)(1)'s requirement of a short and plain statement, and Ellis was required to file a compliant amended pleading after the stay was lifted.

## KEY QUOTATIONS

“*Younger abstention is an exception to that rule, reflecting a national policy forbidding federal courts to stay or enjoin pending state court proceedings except under special circumstances.*” (at 1)

“*Younger requires only the absence of ‘procedural bars’ to raising a federal claim in the state proceedings.*” (at 2)

## FACTUAL BACKGROUND

Ellis alleged that several individuals and entities violated her civil rights during a 2023 traffic stop involving Great Falls Police Officer Frank Torres. The stop resulted in state criminal proceedings that remained pending before the Montana Supreme Court in Cause No. DA 25-0460. Her federal amended complaint asserted, among other claims, First Amendment retaliation and Fourth Amendment claims for unlawful seizure, false arrest, and excessive force.

## PROCEDURAL HISTORY

Ellis filed a federal civil-rights action arising from a 2023 traffic stop. The state criminal matter arising from the stop remained pending before the Montana Supreme Court. The district court granted defendants' motion to stay under Younger abstention and directed defendants to move to lift the stay within thirty days after the state court's decision.

## DISPOSITION

other

## CASES CITED

- *Younger v. Harris*, 401 U.S. 37 (1971)
- *Heck v. Humphrey*, 512 U.S. 477 (1994)
- *Stockton v. Brown*, 152 F.4th 1124, 1135 (9th Cir. 2025)
- *Samuels v. Mackell*, 401 U.S. 66 (1971)
- *Gilbertson v. Albright*, 381 F.3d 965, 983-84 (9th Cir. 2004)
- *Sprint Comms., Inc. v. Jacobs*, 571 U.S. 69, 78 (2013)
- *Kelly v. Robinson*, 479 U.S. 36, 49 (1986)
- *Comms. Telesys. Int'l v. Cal. Pub. Utilities Comm'n*, 196 F.3d 1011, 1020 (9th Cir. 1999)
- *Middlesex Cnty. Ethics Comm. v. Garden St. Bar Ass'n*, 457 U.S. 423, 432 (1982)

## OPINION

April Ellis v. Frank Torres, et al.

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

GREAT FALLS DIVISION

APRIL ELLIS, CV 26-09-GF-DWM

Plaintiff,

Vs. ORDER

FRANK TORRES, et al., Defendants. On January 30, 2026, Plaintiff April Ellis sued several individuals and entities, alleging her civil rights were violated during a traffic stop by Great Falls Police Officer Frank Torres (collectively, “Defendants”). (Doc. 1; see Doc. 22 . (Amend. Compl.).) Invoking *Younger v. Harris*, 401 U.S. 37 (1971), Defendants seek to stay this matter pending the resolution of Ellis’ criminal case in state court. (Doc. 6.) Although Ellis did not respond to the motion, it appears she opposes. The motion to stay is granted. “Federal courts have a presumptive, or what is sometimes said to be Ellis’ Amended Complaint addresses both *Younger v. Harris* and *Heck v. Humphrey*, 512 U.S. 477 (1994). (See Doc. 22 at 36-44.) ‘virtually unflagging’ obligation to decide cases within their jurisdiction.” *Stockton v. Brown*, 152 F.4th 1124, 1135 (9th Cir. 2025) (internal quotation marks omitted). “*Younger* abstention is an exception to that rule, reflecting a national policy forbidding federal courts to stay or enjoin pending state court proceedings except under special circumstances.” *Jd.* (internal quotation marks omitted). Relevant here, *Younger* principles apply in an action for damages pursuant to 42 U.S.C. § 1983 in which the federal plaintiff brings a constitutional challenge to a state proceeding when that proceeding is ongoing; the state proceeding is of a judicial nature, implicating important state interests; and the federal plaintiff is not barred from litigating his federal constitutional issues in that proceeding. This is because a federal court would necessarily have to determine whether the federal plaintiffs constitutional rights were violated, and any such determination would have the same practical

effect on the state proceedings as the injunctive relief condemned in *Younger* and the declaratory relief constrained in *Samuels v. Mackell*, 401 U.S. 66 (1971)].

*Gilbertson v. Albright*, 381 F.3d 965, 984 (9th Cir. 2004); see *Sprint Comms., Inc. v. Jacobs*, 571 U.S. 69, 78 (2013) (explaining that “ongoing state criminal prosecutions” are one of three “exceptional circumstances” that permit *Younger* abstention). Here, Ellis asserts § 1983 claims for, inter alia, First Amendment retaliation and Fourth Amendment unlawful seizure, false arrest, and excessive force arising out of a 2023 traffic stop that resulted in her state criminal prosecution. (See Doc. Ellis’ state criminal case arising out of that incident is still pending before the Montana Supreme Court. See Cause No. DA 25-0460 (state response brief filed April 15, 2026). As that proceeding is a state criminal matter, it implicates important state interests. See *Kelly v. Robinson*, 479 U.S. 36, 49 (1986) (“[T]he States’ interest in administering their criminal justice systems free from federal interference is one of the most powerful of the considerations that should influence a court considering equitable types of relief.”). And Ellis is not barred from pursuing her federal constitutional claims in that matter. “*Younger* requires only the absence of ‘procedural bars’ to raising a federal claim in the state proceedings.” *Comms. Telesys. Int’l v. Cal. Pub. Utilities Comm’n*, 196 F.3d 1011, 1020 (9th Cir. 1999) (citing *Middlesex Cnty. Ethics Comm. v. Garden St. Bar Ass’n*, 457 U.S. 423, 432 (1982)). Even if the particular constitutional claims alleged here were not all raised, a plaintiff’s “failure to avail himself of the opportunity does not mean that the state procedures are inadequate.” *Gilbertson*, 381 F.3d at 983. A stay of this matter is therefore appropriate under *Younger*. See *id.* at 984. Accordingly, IT IS ORDERED that the defendants’ motion to stay (Doc. 6) is GRANTED. This matter is STAYED pending the resolution of Ellis’ state court Ellis’ 235-page, single-spaced Amended Complaint contains 29 counts and does not meet Rule 8(a)(1)’s requirement that a pleading contain a “short and plain statement” of the case. Ellis will be given twenty-one days from the day the stay is lifted to file an amended pleading that complies with that mandate. proceedings. Within thirty (30) days of the Montana Supreme Court’s decision in *Great Falls v. Ellis*, No. DA 25-0460, the defendants must file a motion to lift the stay. No other motions will be entertained while the state proceedings remain pending. Once the stay is lifted, Ellis will be given twenty-one (21) days to file an amended pleading that complies with Rule 8(a)(1) of the Federal Rules of Civil Procedure. The failure to do so will result in the dismissal of this case for failure to prosecute and failure to comply with a Court order. See Fed. R. Civ. P. 41(b). DATED this 15th day of April, 2026.

PULL

Donald N Alloy, District Judge state Court