

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Johnny Lee Baldwin v. Mathew Newton, et al.

Baldwin · No. 26-3027-JWL · Decided March 18, 2026

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS JOHNNY LEE BALDWIN, Plaintiff, v. CASE NO. 26-3027-JWL MATHEW NEWTON, et al., Defendants. MEMORANDUM AND ORDER TO SHOW CAUSE Plaintiff Johnny Lee Baldwin is hereby required to show good cause, in writing to the undersigned, why this action should not be dismissed due to the deficiencies in Plaintiff's Complaint that are discussed herein.

I. Nature of the Matter before the Court Plaintiff brings this pro se civil rights action under 42 U.S.C. § 1983. Plaintiff is in custody at the Saline County Jail in Salina, Kansas. The Court grants Plaintiff's motion for leave to proceed in forma pauperis. Plaintiff's claims relate to his state criminal proceedings. Plaintiff claims that he is being held on charges for "rape sexual intercourse without consent." (Doc.

1, at 2.) Plaintiff claims that the police had the SANE/SART test since October 13, 2025, did not provide it to Plaintiff until February 4, 2026, and it came back negative. Id. at 1–2. He claims this constituted "tampering with evidence." Id. at 1. He claims that the District Attorney committed Brady violations. Id. at 2. He also claims that he was recorded without his consent, and that the police can be heard on their bodycam video telling the victim what to say.

Id. As Count I, Plaintiff requests the transcript from a hearing in his state criminal Case No. 2025-CR-000643. Id. at 3. He claims that his attorney stated that the SANE/SART test came back negative. Id. As Count II, Plaintiff alleges violations of his rights under the First, Fourth, Fifth, Sixth, Eighth, and Fourteenth Amendments. Id. In support, Plaintiff claims: a false news report was posted before the test results were returned; warrantless search and seizure; Brady violations; cruel and unusual punishment; torture in jail; false charges; and no bond for four months.

Id. As Count III, Plaintiff alleges "coerced confession, Brady violation, negative SANE/SART test, setting up for a rape charge when arm is broken shoulders are dislocated." Id. at 4. Plaintiff names as defendants: Mathew Newton, Corporal, Salina Police Department; Andrew Couch, Saline County District Attorney; Saline County, Kansas; and the Salina Police Department.

For relief, Plaintiff seeks an OR bond with ankle monitor, all charges dropped, and \$500,000 in damages. Id. at 5. II. Statutory Screening of Prisoner Complaints The Court is required to screen complaints brought by prisoners seeking relief against a governmental entity or an officer or an employee of a governmental entity. 28 U.S.C. § 1915A(a).

The Court must dismiss a complaint or portion thereof if a plaintiff has raised claims that are legally frivolous or malicious, that fail to state a claim upon which relief may be granted, or that seek monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915A(b)(1)–(2); see also 28 U.S.C. § 1915(e)(2)(B) (where a plaintiff proceeds in forma pauperis the Court is required to “dismiss the case at any time if the court determines that—...

(B) the action or appeal— (i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from suit.”). “To state a claim under § 1983, a plaintiff must allege the violation of a right secured by the Constitution and laws of the United States, and must show that the alleged deprivation was committed by a person acting under color of state law.” *West v. Atkins*, 487 U.S. 42, 48 (1988) (citations omitted); *Northington v. Jackson*, 973 F.2d 1518, 1523 (10th Cir.

1992). A court liberally construes a pro se complaint and applies “less stringent standards than formal pleadings drafted by lawyers.” *Erickson v. Pardus*, 551 U.S. 89, 94 (2007). In addition, the court accepts all well-pleaded allegations in the complaint as true. *Anderson v. Blake*, 469 F.3d 910, 913 (10th Cir. 2006).

On the other hand, “when the allegations in a complaint, however true, could not raise a claim of entitlement to relief,” dismissal is appropriate. *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 558 (2007). A pro se litigant’s “conclusory allegations without supporting factual averments are insufficient to state a claim upon which relief can be based.” *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir.

1991). “[A] plaintiff’s obligation to provide the ‘grounds’ of his ‘entitlement to relief’ requires ‘more than labels and conclusions, and a formulaic recitation of the elements of a cause of action.’” *Twombly*, 550 U.S. at 555 (citations omitted).

The complaint’s “factual allegations must be enough to raise a right to relief above the speculative level” and “to state a claim to relief that is plausible on its face.” *Id.* at 555, 570. The Tenth Circuit Court of Appeals has explained “that, to state a claim in federal court, a complaint must explain what each defendant did to [the pro se plaintiff]; when the defendant did it; how the defendant’s action harmed [the plaintiff]; and, what specific legal right the plaintiff believes the defendant violated.” *Nasious v. Two Unknown B.I.C.E.*

Agents, 492 F.3d 1158, 1163 (10th Cir. 2007). The court “will not supply additional factual allegations to round out a plaintiff’s complaint or construct a legal theory on a plaintiff’s behalf.” *Whitney v. New Mexico*, 113 F.3d 1170, 1173-74 (10th Cir. 1997) (citation omitted).

The Tenth Circuit has pointed out that the Supreme Court’s decisions in *Twombly* and *Erickson* gave rise to a new standard of review for § 1915(e)(2)(B)(ii) dismissals. See *Kay v. Bemis*, 500

F.3d 1214, 1218 (10th Cir. 2007) (citations omitted); see also *Smith v. United States*, 561 F.3d 1090, 1098 (10th Cir. 2009).

As a result, courts “look to the specific allegations in the complaint to determine whether they plausibly support a legal claim for relief.” *Kay*, 500 F.3d at 1218 (citation omitted). Under this new standard, “a plaintiff must ‘nudge his claims across the line from conceivable to plausible.’” *Smith*, 561 F.3d at 1098 (citation omitted). “Plausible” in this context does not mean “likely to be true,” but rather refers “to the scope of the allegations in a complaint: if they are so general that they encompass a wide swath of conduct, much of it innocent,” then the plaintiff has not “nudged [his] claims across the line from conceivable to plausible.” *Robbins v. Oklahoma*, 519 F.3d 1242, 1247 (10th Cir.

2008) (citing *Twombly*, 127 S. Ct. at 1974). III. DISCUSSION 1. Younger Abstention The Court may be prohibited from hearing Plaintiff’s claims under *Younger v. Harris*, 401 U.S. 37, 45 (1971). “The Younger doctrine requires a federal court to abstain from hearing a case where...

(1) state judicial proceedings are ongoing; (2) [that] implicate an important state interest; and (3) the state proceedings offer an adequate opportunity to litigate federal constitutional issues.” *Buck v. Myers*, 244 F. App’x 193, 197 (10th Cir. 2007) (unpublished) (citing *Winnebago Tribe of Neb. v. Stovall*, 341 F.3d 1202, 1204 (10th Cir. 2003); see also *Middlesex Cty.*

Ethics Comm. v. Garden State Bar Ass’n, 457 U.S. 423, 432 (1982)). “Once these three conditions are met, Younger abstention is non-discretionary and, absent extraordinary circumstances, a district court is required to abstain.” *Buck*, 244 F. App’x at 197 (citing *Crown Point I, LLC v. Intermountain Rural Elec. Ass’n*, 319 F.3d 1211, 1215 (10th Cir. 2003)). An online Kansas District Court Records Search shows that Plaintiff’s state criminal proceedings are pending.

See *State v. Baldwin*, Case No. SA-2025-CR-000643 (District Court of Saline County, Kansas) (filed October 3, 2025). The court entered an Order to Determine Competency on February 24, 2026, and a Confidential Report/Evaluation by CKMHC was entered on March 6, 2026. *Id.* Therefore, it appears that the first and second conditions for Younger abstention would be met because Kansas undoubtedly has an important interest in enforcing its criminal laws through criminal proceedings in the state’s courts.

In *re Troff*, 488 F.3d 1237, 1240 (10th Cir. 2007) (“[S]tate control over criminal justice [is] a lynchpin in the unique balance of interests” described as “Our Federalism.”) (citing *Younger*, 401 U.S. at 44). Likewise, the third condition would be met because Kansas courts provide Plaintiff with an adequate forum to litigate his constitutional claims by way of pretrial proceedings, trial, and direct appeal after conviction and sentence, as well as post-conviction remedies.

See *Capps v. Sullivan*, 13 F.3d 350, 354 n.2 (10th Cir. 1993) (“[F]ederal courts should abstain from the exercise of... jurisdiction if the issues raised... may be resolved either by trial on the

merits in the state court or by other [available] state procedures.”) (quotation omitted); see *Robb v. Connolly*, 111 U.S. 624, 637 (1984) (state courts have obligation ‘to guard, enforce, and protect every right granted or secured by the constitution of the United States....’”); *Steffel v. Thompson*, 415 U.S. 452, 460–61 (1974) (pendant state proceeding, in all but unusual cases, would provide federal plaintiff with necessary vehicle for vindicating constitutional rights).

In *Hodson v. Reams*, the petitioner argued that the rescheduling of his competency hearing was done in bad faith, that the judge was acting in bad faith because he barred all pro se motions filed by petitioner, that his counsel acted wantonly and recklessly, that he was unable to exhaust his administrative remedies because he is barred by the state district court from filing pro se motions, and that the public defender violated his due process rights by failing to request competency from the date of the offense.

Hodson v. Reams, Civil Action No. 17-cv-00379-GPG, 2017 WL 6550694, at *1 (D. Colo. June 20, 2017), denying cert. of appealability 729 F. App’x 661 (10th Cir. 2018). The court found that petitioner failed to establish that the state criminal proceeding was an inadequate forum to hear his claims, and that the State has an important interest in the administration of its criminal code, as well as the state competency procedures set forth in the state statutes.

Id. at *2. To the extent Plaintiff alleges excessive bond in his criminal case, the Court would also be prohibited from hearing Plaintiff’s claim under *Younger*. Any claim of excessive bond is insufficient to trigger any of the *Younger* exceptions, and if his claim is construed as a petition for habeas corpus, Plaintiff fares no better. A prisoner proceeding pretrial under 28 U.S.C. § 2241 must first exhaust available state court remedies.

The *Younger* doctrine prevents a court proceeding in habeas from intervening in a pending state court criminal matter unless exceptional circumstances are present. In *Arter v. Gentry*, the Tenth Circuit upheld a district court decision construing a pretrial detainee’s claim of excessive bail as a claim under § 2241 and denying habeas relief for failure to exhaust state court remedies and noting that the *Younger* abstention doctrine, “compels us to avoid interference in ongoing state proceedings when the state courts provide an adequate forum to present any federal constitutional challenges.” *Arter v. Gentry*, 201 F. App’x 653, 653–54 (10th Cir.

2006) (unpublished). And in *Tucker v. Reeve*, a state pretrial detainee challenged his pretrial detention, alleging state officials set excessive bond, denied him a speedy trial, and engaged in illegal searches and seizures. *Tucker v. Reeve*, 601 F. App’x 760 (10th Cir. 2015) (unpublished).

The Tenth Circuit upheld the district court’s application of the *Younger* abstention doctrine. *Id.* at 760–61; see also *Albright v. Raemisch*, 601 F. App’x 656, 659–60 (10th Cir. 2015) (unpublished) (dismissing § 2241 petition challenging, inter alia, violation of rights against excessive bond, for failure to exhaust state court remedies). “[T]he *Younger* doctrine extends to federal claims for

monetary relief when a judgment for the plaintiff would have preclusive effects on a pending state-court proceeding.” *D.L. v. Unified Sch.*

Dist. No. 497, 392 F.3d 1223, 1228 (10th Cir. 2004); see also *Garza v. Burnett*, 672 F.3d 1217, 1220 (10th Cir. 2012) (citing *Wallace v. Kato*, 549 U.S. 384, 393 (2007)); *Myers v. Garff*, 876 F.2d 79, 81 (10th Cir. 1989) (directing district court to stay claim for damages). Plaintiff should show good cause why this Court should not abstain from hearing this case based on *Younger*.

Plaintiff should also indicate whether or not he is seeking a stay of this case pending resolution of his state court criminal proceedings. 2. Heck Bar Plaintiff seeks money damages in this case. As set forth above, Plaintiff’s state criminal proceedings are ongoing.

However, if he is convicted, any request for money damages may be barred by Heck. See *Heck v. Humphrey*, 512 U.S. 477, 482 (1994). Before a plaintiff may proceed in a federal civil action for monetary damages based upon an invalid conviction or sentence, he must show that his conviction or sentence has been overturned, reversed, or otherwise called into question.

Heck, 512 U.S. 477. If a judgment on Plaintiff’s claim in this case would necessarily imply the invalidity of his conviction, the claim may be barred by Heck. In *Heck v. Humphrey*, the United States Supreme Court held that when a state prisoner seeks damages in a § 1983 action, the district court must consider the following: whether a judgment in favor of the plaintiff would necessarily imply the invalidity of his conviction or sentence; if it would, the complaint must be dismissed unless the plaintiff can demonstrate that the conviction or sentence has already been invalidated.

Id. at 487. In Heck, the Supreme Court held that a § 1983 damages claim that necessarily implicates the validity of the plaintiff’s conviction or sentence is not cognizable unless and until the conviction or sentence is overturned, either on appeal, in a collateral proceeding, or by executive order. *Id.* at 486–87. IV. Response Required Plaintiff is required to show good cause why his Complaint should not be dismissed for the reasons stated herein.

Plaintiff should also indicate if he is seeking a stay of this case pending resolution of his state court criminal proceedings. Failure to respond by the deadline may result in dismissal of this matter without further notice. IT IS THEREFORE ORDERED that Plaintiff’s Motion for Leave to Proceed in Forma Pauperis (Doc. 2) is granted. Notwithstanding this grant of leave, Plaintiff is required to pay the full amount of the filing fee and is hereby assessed \$350.00.

Plaintiff is required to make monthly payments of 20 percent of the preceding month’s income credited to the prisoner’s account. The agency having custody of Plaintiff shall forward payments from the prisoner’s account to the Clerk of the Court each time the amount in the account exceeds \$10.00 until the filing fees are paid. 28 U.S.C. § 1915(b)(2).

The Clerk is to transmit a copy of this order to Plaintiff, to the finance office at the institution where Plaintiff is currently confined, and to the Court's finance office. IT IS FURTHER ORDERED that Plaintiff is granted until April 17, 2026, in which to show good cause, in writing to the undersigned, why Plaintiff's Complaint should not be dismissed or stayed for the reasons stated herein.

IT IS FURTHER ORDERED that the Clerk is directed to redact the victim's name on Doc. 1, at pages 2, 3. IT IS SO ORDERED. Dated March 18, 2026, in Kansas City, Kansas. S/ John W. Lungstrum JOHN W. LUNGSTRUM UNITED STATES DISTRICT JUDGE