

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
TENNESSEE

John Smiley, Sr. v. City of Memphis, et al.

Case No. 3:24-cv-01512 · No. 3:24-cv-01512 · Decided December 2, 2025

SUMMARY

The United States District Court for the Middle District of Tennessee granted John Smiley, Sr.’s application to proceed in forma pauperis but dismissed his civil-rights complaint. The court held that the allegations were factually frivolous and, alternatively, that the claims were untimely under Tennessee’s one-year statute of limitations for Section 1983 actions.

CASE DETAILS

COURT	United States District Court for the Middle District of Tennessee
WRITING FOR THE COURT	Aleta A. Trauger
JURISDICTION	United States District Court for the Middle District of Tennessee
DECIDED	December 2, 2025
DOCKET	3:24-cv-01512
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se plaintiff proceeding in forma pauperis filed a civil-rights complaint under 42 U.S.C. § 1983. The district court granted leave to proceed in forma pauperis, conducted the mandatory screening required by 28 U.S.C. § 1915(e)(2), and dismissed the complaint.
STANDARD OF REVIEW	On initial review under 28 U.S.C. § 1915(e)(2), the court accepted well-pleaded factual allegations and reasonable inferences as true, construed the pro se complaint liberally, and applied the plausibility standard applicable to a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). The court could reject allegations that were clearly baseless, fantastic, or delusional, and could dismiss when the complaint affirmatively showed that the claims were time-barred.
PRECEDENTIAL VALUE	unpublished

PARTIES

John Smiley, Sr. v. City of Memphis, City of Nashville, City of Dallas/Fort Worth, City of Atlanta, Memphis Police Department, Nashville Police Department, Shelby County, Davidson County, Wilson County, Rutherford County, DeSoto County

TOPICS

section 1983 civil rights statute of limitations municipal liability civil procedure

PRACTICE AREAS

civil rights constitutional law civil procedure municipal law statute of limitations

QUESTIONS PRESENTED

1. Whether the complaint presented a nonfrivolous claim with an arguable or rational basis in fact or law under 28 U.S.C. § 1915(e)(2)(B)(i).
2. Whether the complaint plausibly stated First, Fourth, or Fourteenth Amendment claims under 42 U.S.C. § 1983 against the municipal defendants.
3. Whether the claims were barred by Tennessee's one-year personal-injury statute of limitations applicable to § 1983 claims.
4. Whether the plaintiff should be granted leave to proceed in forma pauperis.

HOLDINGS

1. The plaintiff's application to proceed in forma pauperis was granted because his financial information sufficiently demonstrated that paying the full filing fee in advance would cause undue hardship.
2. The complaint was subject to dismissal as factually frivolous because its allegations presented a plainly delusional and untenable scenario lacking any arguable or rational basis in fact.
3. The complaint failed to state plausible First, Fourth, or Fourteenth Amendment claims against the municipal defendants.
4. The complaint was alternatively subject to dismissal as untimely because the latest alleged incident occurred on October 21, 2023, while the action was filed on December 30, 2024, beyond Tennessee's one-year limitations period.

KEY QUOTATIONS

“In the case before the court, the factual scenario presented by the plaintiff is simply untenable and cannot be accepted as true.” (Section II.C)

“The gravamen of the Complaint—that since 2021 and “based on his race,” the plaintiff was surveilled, harassed, and intimidated by law enforcement, fire department personnel, and cooperating citizens in multiple Tennessee counties while he performed his job as a delivery driver, “culminating in a deliberate vehicular

incident” and cover-up in Memphis in October 2023 (Doc. No. 1 at 1, 2–3)—is plainly delusional and factually frivolous.” (Section II.C)

FACTUAL BACKGROUND

The complaint alleged that, beginning in August 2021, law-enforcement personnel and cooperating citizens surveilled, harassed, threatened, and intimidated Smiley while he worked as a delivery driver in several Tennessee counties. It described alleged interference with his deliveries, threats involving weapons and dogs, a Nashville firetruck incident, and a purportedly deliberate vehicle collision in Memphis on October 21, 2023, followed by alleged police misconduct and intimidation. Smiley attributed the conduct to his race, social-media activity, and a conspiracy among municipal defendants.

PROCEDURAL HISTORY

Smiley filed a complaint alleging First, Fourth, and Fourteenth Amendment violations arising from alleged surveillance, harassment, intimidation, racial discrimination, and a vehicular incident involving municipal defendants. He also filed an application to proceed in forma pauperis. The court granted the application, screened the complaint, dismissed it as factually frivolous and alternatively as untimely and failing to state a claim, granted a motion to ascertain status, certified that any appeal would not be taken in good faith, and directed the Clerk to enter judgment.

DISPOSITION

dismissed

CASES CITED

- *Foster v. Cuyahoga Dep't of Health & 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)
- *Hill v. Lappin*, 630 F.3d 468, 470-71 (6th Cir. 2010)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678-79 (2009)
- *Carl v. Muskegon County*, 763 F.3d 592, 595 (6th Cir. 2014)
- *National Rifle Association of America v. Vullo*, 602 U.S. 175, 181 (2024)
- *Inner City Contracting, LLC v. Charter Township of Northville, Michigan*, 87 F.4th 743, 749 (6th Cir. 2023)
- *Erickson v. Pardus*, 551 U.S. 89, 94 (2007)
- *Huey v. Raymond*, 53 F. App'x 329, 330-31 (6th Cir. 2002)
- *Neitzke v. Williams*, 490 U.S. 319, 325, 327-28 (1989)
- *Denton v. Hernandez*, 504 U.S. 25, 32-33 (1992)
- *Wershe v. City of Detroit, Michigan*, 112 F.4th 357, 364-65 (6th Cir. 2024)
- *Baltrusaitis v. International Union, United Auto., Aerospace & Agric. Implement Workers*, 86 F.4th 1168, 1178 (6th Cir. 2023)
- *Zappone v. United States*, 870 F.3d 551, 559 (6th Cir. 2017)

- *Dibrell v. City of Knoxville, Tennessee*, 984 F.3d 1156, 1161 (6th Cir. 2021)

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