

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
TEXAS, DALLAS DIVISION

Hurt v. Hunt County, Texas, et al.

Hurt v. Hunt County, Texas, No. 3:25-cv-3154-D (N.D. Tex. Dec. 4, 2025) · No. 3:25-cv-3154-D · Decided
December 5, 2025

SUMMARY

In this Findings, Conclusions, and Recommendation, a United States magistrate judge recommends denying the plaintiff’s motion for leave to file a surreply, granting the Hunt County defendants’ Rule 12(b)(6) motion, and denying the plaintiff’s motion for a temporary restraining order and preliminary injunction. The recommendation concludes that the plaintiff’s ADA, Rehabilitation Act, constitutional, and Texas tort claims were time-barred under Texas’s two-year limitations period and that the plaintiff had not adequately established equitable tolling. It also concludes that the plaintiff had not shown an exceptional circumstance warranting federal intervention in ongoing New Mexico criminal proceedings under Younger abstention principles.

CASE DETAILS

COURT	United States District Court for the Northern District of Texas, Dallas Division
WRITING FOR THE COURT	David L. Horan
JURISDICTION	United States District Court for the Northern District of Texas, Dallas Division
DECIDED	December 5, 2025
DOCKET	3:25-cv-3154-D
DISPOSITION	other
PROCEDURAL POSTURE	Report and recommendation by a United States magistrate judge on defendants' Rule 12(b)(6) motion to dismiss, plaintiff's motion for leave to file a surreply, and plaintiff's motion for a temporary restraining order and preliminary injunction.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded facts as true and views them in the light most favorable to the plaintiff, but the complaint must state a facially plausible claim and may not rely on labels, conclusions, or speculation. A motion for a TRO or preliminary injunction requires an unequivocal showing of a substantial likelihood

	of success on the merits, irreparable injury, balance of harms, and consistency with the public interest.
PRECEDENTIAL VALUE	Nonprecedential magistrate judge recommendation; subject to district-court review and adoption.
PARTIES	John Hurt v. Hunt County, Texas, Terry Jones, Bernalillo County, Bernalillo County Clerk, New Mexico Administrative Office of the Courts

TOPICS

motions to dismiss

statute of limitations

injunctions

section 1983

civil procedure

PRACTICE AREAS

civil procedure

civil rights

statute of limitations

injunctions

disability discrimination

QUESTIONS PRESENTED

1. Whether Hurt's claims against the Hunt County defendants were facially barred by the applicable two-year statute of limitations.
2. Whether Hurt's allegations established a basis for equitable tolling of the limitations period.
3. Whether Hurt should be granted leave to file a surreply.
4. Whether Hurt was entitled to a temporary restraining order or preliminary injunction against the New Mexico defendants.
5. Whether Younger abstention barred federal injunctive intervention in the allegedly ongoing New Mexico criminal proceeding.

HOLDINGS

1. Hurt's ADA, Rehabilitation Act, § 1983, and Texas tort claims were subject to Texas's two-year personal-injury limitations period, accrued in 2020, and were facially time-barred when filed in 2025.
2. Hurt did not plead facts sufficient to establish equitable tolling because his allegations of incompetency, medical impairment, continuing misconduct, and diligence were conclusory.
3. Hurt was not entitled to a TRO or preliminary injunction because he failed to unequivocally show entitlement to preliminary injunctive relief and did not establish an exceptional basis for federal intervention in the state criminal proceeding.
4. Leave to file a surreply should be denied because surreplies are discretionary and generally permitted only in exceptional circumstances, and the recommendation did not rely on new arguments or evidence in the defendants' reply.

KEY QUOTATIONS

“A complaint is ‘subject to dismissal if its allegations affirmatively demonstrate that the plaintiff’s claims are barred by the statute of limitations and fail to raise some basis for tolling.’” (-14)

“The proper focus is on the time of the [allegedly wrongful] act, not the point at which the consequences of the act become painful.” (-14)

“A TRO is simply a highly accelerated and temporary form of preliminary injunctive relief.” (-14)

“Younger abstention is one of a handful of federalism-flavored carveouts to a federal court’s ‘virtually unflagging obligation’ to exercise congressionally conferred jurisdiction.” (-14)

FACTUAL BACKGROUND

Hurt alleged that he was arrested and detained for 14 days in Hunt County, Texas, in January 2020. He asserted claims under the ADA, the Rehabilitation Act, the Fourteenth and Fourth Amendments through 42 U.S.C. § 1983, and Texas tort law, based on the detention and later alleged publication of false warrant or criminal-record information that allegedly caused employment losses in 2023 and August 2025. He also alleged that New Mexico officials had resumed prosecutorial activity in a criminal case and sought to enjoin that proceeding.

PROCEDURAL HISTORY

Hurt filed a pro se civil action in the Eastern District of Texas in September 2025 based on a January 2020 arrest and 14-day detention in Hunt County, Texas. The Eastern District transferred the action to the Dallas Division of the Northern District of Texas. Hunt County and Sheriff Terry Jones moved to dismiss the amended complaint under Rule 12(b)(6), and Hurt moved for leave to file a surreply. Hurt later sought a TRO and preliminary injunction against New Mexico defendants concerning an allegedly ongoing criminal prosecution. The magistrate judge recommended denying leave to file a surreply, granting dismissal of the claims against the Hunt County defendants as time-barred, and denying injunctive relief.

DISPOSITION

other

CASES CITED

- Gezu v. Charter Commc'ns, 17 F.4th 547, 556 (5th Cir. 2021)
- Lacher v. West, 147 F. Supp. 2d 538, 539 (N.D. Tex. 2001)
- Ga. Firefighters' Pension Fund v. Anadarko Petroleum Corp., 99 F.4th 770, 774 (5th Cir. 2024)
- Butler v. S. Porter, 999 F.3d 287, 297 (5th Cir. 2021)
- In re Katrina Canal Breaches Litig., 495 F.3d 191, 205-06 (5th Cir. 2007)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 557, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Jenkins v. Tahmahkera, 151 F.4th 739, 747 (5th Cir. 2025)
- Frame v. City of Arlington, 657 F.3d 215, 223, 236-40 (5th Cir. 2011) (en banc)
- Wallace v. Kato, 549 U.S. 384, 388-90, 397 (2007)

- Johnson v. Harris Cnty., 83 F.4th 941, 945-46 (5th Cir. 2023)
- Chardon v. Fernandez, 454 U.S. 6, 8 (1981) (per curiam)
- Suter v. Univ. of Tex. at San Antonio, 495 F. App'x 506, 509 (5th Cir. 2012) (per curiam)
- Computer Assocs. Int'l, Inc. v. Altai, Inc., 918 S.W.2d 453, 456 (Tex. 1996)
- Murphy v. Campbell, 964 S.W.2d 265, 270 (Tex. 1997)
- Menominee Indian Tribe of Wis. v. United States, 577 U.S. 250, 255 (2016)
- Holland v. Florida, 560 U.S. 631, 649, 653 (2010)
- Jackson v. Davis, 933 F.3d 408, 411 (5th Cir. 2019)
- Horner v. Am. Airlines, Inc., No. 3:17-cv-665-D, 2017 WL 978100, at *1 (N.D. Tex. Mar. 13, 2017)
- Valley v. Rapides Par. Sch. Bd., 118 F.3d 1047, 1050 (5th Cir. 1997)
- Bluefield Water Ass'n, Inc. v. City of Starkville, Miss., 577 F.3d 250, 252-53 (5th Cir. 2009)
- Canal Auth. of State of Fla. v. Callaway, 489 F.2d 567, 572 (5th Cir. 1974)
- Voting for Am., Inc. v. Steen, 732 F.3d 382, 386 (5th Cir. 2013)
- Younger v. Harris, 401 U.S. 37 (1971)
- Tex. Ass'n of Bus. v. Earle, 388 F.3d 515, 518 (5th Cir. 2004)
- Netflix, Inc. v. Babin, 88 F.4th 1080, 1084-85 (5th Cir. 2023)
- Allied Mktg. Grp., Inc. v. C.D.L. Mktg., Inc., 878 F.2d 806, 809 (5th Cir. 1989)
- Parker v. Landry, 935 F.3d 9, 17 (1st Cir. 2019)
- Armstrong v. Ashley, 60 F.4th 262, 269 (5th Cir. 2023)
- Harmon v. City of Arlington, Tex., 16 F.4th 1159, 1162-63 (5th Cir. 2021)
- Johnson v. City of Shelby, Miss., 574 U.S. 10, 12 (2014) (per curiam)
- Brown v. Tarrant Cnty., Tex., 985 F.3d 489, 494 (5th Cir. 2021)
- Lee v. Dall. Cnty., No. 3:19-cv-2690-L-BN, 2022 WL 721536, at *2 (N.D. Tex. Feb. 18, 2022)
- Bennett v. State, No. 05-99-01788-CV, 2001 WL 569749, at *3 (Tex. App.—Dallas May 29, 2001, pet. denied)
- Winfrey v. Rogers, 901 F.3d 483, 492 (5th Cir. 2018)
- Edmonds v. Oktibbeha Cnty., 675 F.3d 911, 916 (5th Cir. 2012)
- Helton v. Clements, 832 F.2d 332, 335 (5th Cir. 1987)
- Bay Area Laundry & Dry Cleaning Pension Tr. Fund v. Ferbar Corp. of Cal., 522 U.S. 192, 201 (1997)
- Jones v. Bock, 549 U.S. 199, 215 (2007)
- Douglass v. United Servs. Auto. Ass'n, 79 F.3d 1415, 1417 (5th Cir. 1996)