

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Eldridge v. City of Alton, Illinois

Eldridge · No. 3:24-CV-1788-NJR · Decided December 10, 2025

SUMMARY

The United States District Court for the Southern District of Illinois screened Elliander Eldridge and Melissa Lyn Scharfinski’s amended complaint against the City of Alton under 28 U.S.C. § 1915(e)(2). The court dismissed Count I with prejudice, partially dismissed Count VII without prejudice, and dismissed Counts VIII and X without prejudice for failure to state a claim or lack of subject-matter jurisdiction, while allowing Counts II through VI and IX to proceed. The order also directed the Clerk and United States Marshals Service to facilitate service on the City.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	Nancy J. Rosenstengel
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	December 10, 2025
DOCKET	3:24-CV-1788-NJR
DISPOSITION	other
PROCEDURAL POSTURE	Screening of an amended complaint filed by plaintiffs proceeding in forma pauperis under 28 U.S.C. § 1915(e)(2).
STANDARD OF REVIEW	The court applied the screening standard under 28 U.S.C. § 1915(e)(2) (B), using the same standard applicable to a Rule 12(b)(6) motion. The complaint had to contain enough factual matter to state a claim that was plausible on its face; well-pleaded facts were accepted as true and reasonable inferences were drawn in plaintiffs' favor.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Elliander Aelfric Eldridge, Melissa Lyn Scharfinski v. City of Alton, Illinois

TOPICS

motions to dismiss

subject matter jurisdiction

procedural due process

substantive due process

civil procedure

PRACTICE AREAS

civil procedure

constitutional law

civil rights

municipal law

environmental law

QUESTIONS PRESENTED

1. Whether plaintiffs stated a procedural due process claim based on Eldridge's alleged inability to participate in proceedings concerning jointly owned property when no actual fine, lien, encumbrance, or other deprivation was alleged.
2. Whether plaintiffs stated a substantive due process claim based on enforcement of waste-bin placement ordinances allegedly interfering with their use and enjoyment of property.
3. Whether the court had subject matter jurisdiction over plaintiffs' Illinois noise-pollution claim under federal-question, diversity, or supplemental jurisdiction.
4. Whether plaintiffs stated a federal claim based on the alleged conflict between City enforcement and the Endangered Species Act.
5. Whether the court should exercise supplemental jurisdiction over plaintiffs' Illinois Garden Act claim when the claim presented novel questions of state law.

HOLDINGS

1. Plaintiffs failed to state a procedural due process claim because they alleged only a risk or exposure to fines, liens, or encumbrances and did not allege that Eldridge actually suffered a deprivation of a protected property interest.
2. Plaintiffs failed to state a substantive due process claim because they did not allege an independent constitutional violation or inadequate state-law remedies and did not plead facts showing that the waste-bin regulation was arbitrary and unreasonable or bore no substantial relationship to public health, safety, or welfare.
3. The court lacked original federal-question and diversity jurisdiction over Count VIII and dismissed the claim without prejudice because it did not share a common nucleus of operative facts with plaintiffs' federal claims and therefore did not fall within supplemental jurisdiction.
4. Plaintiffs failed to state a federal claim because the amended complaint contained no factual allegations connecting the City's enforcement attempts to the Endangered Species Act or any other federal law.
5. The court declined to exercise supplemental jurisdiction over the Illinois Garden Act claim and dismissed it without prejudice because it presented novel and potentially complex questions of state law, including whether the Act creates a private right of action.

KEY QUOTATIONS

“Exposure to (that is, risk of) fines, liens, or encumbrances on one’s property is not the same thing as actually incurring such fines, liens, or encumbrances.” (Count I)

“A property owner challenging a land-use regulation as a violation of due process is . . . obliged to show that the regulation is arbitrary and unreasonable, bearing no substantial relationship to public health, safety, or welfare.” (Count VII)

“Supplemental jurisdiction is a ‘doctrine of discretion, not of plaintiff’s right,’ which allows a federal court to hear related federal and state-law claims” (Count VIII)

“The filing of an amended complaint has the effect of superseding the original complaint.” (Count X)

FACTUAL BACKGROUND

Plaintiffs jointly owned a home in Alton, Illinois, and alleged that the City issued citations and initiated proceedings concerning the property while naming only Scharfinski. Eldridge alleged that he was denied an opportunity to participate despite potential exposure to fines, liens, or encumbrances. Plaintiffs also challenged waste-bin placement requirements as inaccessible because of their disabilities, alleged excessive noise from concerts at the Alton Amphitheater, and alleged that City enforcement threatened their pollinator or vegetable garden in violation of Illinois law and potentially the federal Endangered Species Act.

PROCEDURAL HISTORY

The court previously dismissed plaintiffs' initial complaint under 28 U.S.C. § 1915(e)(2)(B) and granted leave to amend. After reviewing the amended complaint, the court allowed Counts II, III, IV, V, VI, and IX to proceed, allowed Count VII to proceed to the extent it asserted a takings claim, dismissed Count I with prejudice, dismissed the substantive-due-process portion of Count VII without prejudice, and dismissed Counts VIII and X without prejudice.

DISPOSITION

other

CASES CITED

- Hoskins v. Poelstra, 320 F.3d 761, 763 (7th Cir. 2003)
- Dewalt v. Carter, 224 F.3d 607, 611-12 (7th Cir. 2000)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Burke v. 401 N. Wabash Venture, LLC, 714 F.3d 501, 504 (7th Cir. 2013)
- Adams v. Reagle, 91 F.4th 880, 889 (7th Cir. 2024)
- Campos v. Cook County, Campos v. Cook County, 932 F.3d 972, 975, 977 (7th Cir. 2019)
- Gonzalez-Koeneke v. West, 791 F.3d 801, 808 (7th Cir. 2015)
- Lee v. City of Chicago, 330 F.3d 456, 467 (7th Cir. 2003)
- Schroeder v. City of Chicago, 927 F.2d 957, 961 (7th Cir. 1991)
- Washington v. Glucksberg, 521 U.S. 702, 728 (1997)

- Doherty v. City of Chicago, 75 F.3d 318, 323-26 (7th Cir. 1996)
- Hayden ex rel. A.H. v. Greensburg Community School Corp., 743 F.3d 569, 575 (7th Cir. 2014)
- Gen. Auto Serv. Station v. City of Chicago, 562 F.3d 991, 1000-01 (7th Cir. 2009)
- Greater Chicago Combine & Ctr., Inc. v. City of Chicago, 431 F.3d 1065, 1071 (7th Cir. 2005)
- McCauley v. City of Chicago, 671 F.3d 611, 616 (7th Cir. 2012)
- Ashcroft v. Iqbal, 556 U.S. 662, 680-81 (2009)
- Foster v. Hill, 497 F.3d 695, 696-97 (7th Cir. 2007)
- Pogorzelska v. VanderCook Coll. of Music, 442 F. Supp. 3d 1054, 1061 (N.D. Ill. 2020)
- United Mine Workers of Am. v. Gibbs, 383 U.S. 715, 726 (1966)
- Ammerman v. Sween, 54 F.3d 423, 424 (7th Cir. 1995)
- Minocqua Brewing Company LLC v. Hess, No. 25-2092, 2025 WL 3292188, at *4 (7th Cir. Nov. 26, 2025)
- FKFJ, Inc. v. Village of Worth, 11 F.4th 574, 585 (7th Cir. 2021)
- Fry v. UAL Corp., 895 F. Supp. 1018, 1048 (N.D. Ill. 1995)
- O'Shea v. Augustana College, 593 F. Supp. 3d 838, 852-53 (C.D. Ill. 2022)