

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

Chelsea Farrer and Chad Young v. Waneka Rosebud Cornpeach

Farrer v. Cornpeach · No. 2:25-cv-00551-JNP-DAO · Decided March 25, 2026

SUMMARY

The United States District Court for the District of Utah held that it lacked federal-question jurisdiction over Plaintiffs’ Utah-law tort claims against a tribal officer and remanded the action to Utah state court under 28 U.S.C. § 1447(c). The court denied the motion for declaratory judgment as moot, concluding that anticipated defenses involving tribal sovereignty, the infringement doctrine, or tribal immunity did not satisfy the well-pleaded complaint rule.

CASE DETAILS

COURT	United States District Court for the District of Utah
WRITING FOR THE COURT	Jill N. Parrish
JURISDICTION	United States District Court for the District of Utah
DECIDED	March 25, 2026
DOCKET	2:25-cv-00551-JNP-DAO
DISPOSITION	remanded
PROCEDURAL POSTURE	Defendant removed plaintiffs' Utah state-court tort action to federal court, asserting federal-question jurisdiction based on tribal sovereignty and the infringement doctrine. The district court sua sponte required clarification of the jurisdictional basis and then remanded the action for lack of subject matter jurisdiction.
STANDARD OF REVIEW	The court independently examined whether subject matter jurisdiction existed and applied the removal and federal-question jurisdiction statutes. Because federal courts are courts of limited jurisdiction, the court required a statutory basis for jurisdiction and remanded when jurisdiction was lacking.
PRECEDENTIAL VALUE	Unknown; memorandum decision and order from a federal district court

TOPICS

- subject matter jurisdiction
- tribal jurisdiction
- tribal sovereignty
- civil procedure
- federalism

PRACTICE AREAS

Federal civil procedure

Removal and remand

Federal Indian law

Torts

QUESTIONS PRESENTED

1. Whether federal-question jurisdiction under 28 U.S.C. § 1331 existed when plaintiffs' well-pleaded complaint asserted only state-law tort claims and defendant relied on the tribal infringement doctrine and related tribal-sovereignty defenses.
2. Whether the district court was required to remand the removed action under 28 U.S.C. § 1447(c) for lack of subject matter jurisdiction.
3. Whether defendant's motion for a declaratory judgment concerning the state court's jurisdiction could be decided after the federal court determined that it lacked subject matter jurisdiction.

HOLDINGS

1. A defendant's reliance on the tribal infringement doctrine, tribal sovereignty, or a related federal immunity or jurisdictional defense does not create federal-question jurisdiction under § 1331 when the plaintiff's well-pleaded complaint asserts only state-law claims and does not present a federal question.
2. The action had to be remanded to Utah state court because the district court was not satisfied that subject matter jurisdiction existed.
3. Defendant's motion for a declaratory judgment concerning the state court's jurisdiction was denied as moot after the federal action was remanded.

KEY QUOTATIONS

“But “[i]f at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case shall be remanded.”” (at 3)

“As the Court emphasized, “it has long been settled that the existence of a federal immunity to the claims asserted does not convert a suit otherwise arising under state law into one which, in the statutory sense, arises under federal law.”” (at 4)

“Given these obstacles to federal question jurisdiction, “it [at least] appears that [this] court lacks subject matter jurisdiction.”” (at 7)

FACTUAL BACKGROUND

Plaintiffs alleged that defendant, identified as an officer of the Ute Indian Tribe Fish and Wildlife Department, stopped them while they were driving. Defendant allegedly shot both plaintiffs, causing significant injuries. Plaintiffs asserted Utah-law tort claims against defendant in her individual capacity, including assault, battery, false imprisonment, intentional infliction of emotional distress, and negligence.

PROCEDURAL HISTORY

Plaintiffs filed state-law tort claims in Utah state court arising from a shooting incident. Defendant removed under 28 U.S.C. §§ 1331, 1441, and 1446, and invoked the Supremacy Clause and tribal-sovereignty-related

federal issues. After ordering defendant to allege the jurisdictional basis, the district court concluded that the well-pleaded complaint did not present a federal question and remanded under § 1447(c). Defendant's motion for a declaratory judgment was denied as moot. The amended decision vacated and replaced the court's March 5, 2026 memorandum decision and order.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The action was remanded to the Eighth Judicial District Court in and for Duchesne County, State of Utah. Defendant's motion for declaratory judgment was denied as moot.

CASES CITED

- Fent v. Oklahoma Water Resources Board, 235 F.3d 553, 557 (10th Cir. 2000)
- Coyne v. American Tobacco Co., 183 F.3d 488, 496 (6th Cir. 1999)
- Dutcher v. Matheson, 733 F.3d 980, 984-85 (10th Cir. 2013)
- Rural Water District No. 2 v. City of Glenpool, 698 F.3d 1270, 1274 (10th Cir. 2012)
- Caterpillar Inc. v. Williams, 482 U.S. 386, 392-93 (1987)
- Devon Energy Production Co., L.P. v. Mosaic Potash Carlsbad, Inc., 693 F.3d 1195, 1202, 1204-06 (10th Cir. 2012)
- Schmeling v. NORDAM, 97 F.3d 1336, 1339 (10th Cir. 1996)
- Beneficial National Bank v. Anderson, 539 U.S. 1, 6 (2003)
- Dowd v. Alliance Mortgage Co., 339 F. Supp. 2d 452, 455-56 (E.D.N.Y. 2004)
- Oklahoma Tax Commission v. Graham, 489 U.S. 838, 839-42 (1989) (per curiam)
- Becker v. Ute Indian Tribe of the Uintah & Ouray Reservation, 770 F.3d 944, 946-49 (10th Cir. 2014)
- Medesimo Tempo, LLC v. Skull Valley Health Care, LLC, No. 2:21-CV-00715-DBB, 2022 WL 901590, at *3 (D. Utah Mar. 28, 2022)
- Bonnet v. Harvest (U.S.) Holdings, Inc., 741 F.3d 1155, 1158 (10th Cir. 2014)
- Brown on Behalf of Brown v. Rice, 760 F. Supp. 1459, 1462 (D. Kan. 1991)
- Oglala Sioux Tribe v. C & W Enterprises, Inc., 516 F. Supp. 2d 1039, 1039, 1042-43 (D.S.D. 2007)
- National Farmers Union Insurance Companies v. Crow Tribe of Indians, 471 U.S. 845, 847, 852-53 (1985)
- Ute Indian Tribe of the Uintah & Ouray Reservation v. Utah, 790 F.3d 1000, 1003-05 (10th Cir. 2015)
- Ute Indian Tribe v. Lawrence, 875 F.3d 539, 546 (10th Cir. 2017)
- Franchise Tax Board v. Construction Laborers Vacation Trust, 463 U.S. 1, 4 (1983)
- Grable & Sons Metal Products, Inc. v. Darue Engineering & Manufacturing, 545 U.S. 308, 313-14 (2005)
- Med-Tec, Inc. v. Kostich, 980 F. Supp. 1315, 1320 (N.D. Iowa 1997)
- Lawrence County v. South Dakota, 668 F.2d 27, 30 (8th Cir. 1982)

- Williams v. Lee, 358 U.S. 217, 220 (1959)

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