

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH,
CENTRAL DIVISION

Tom E. Hinkley v. John P. Hinkley; Gerald K. Johnson; Anthony R. Martineau; Jason W. Hardin; Sara Bouley; Judge Kara Pettit; City of West Jordan; Mayor Dirk Burton; Todd Zahlmann; West Jordan Police Department; and Does 1–10

Hinkley · No. 2:26-cv-00035 · Decided February 25, 2026

SUMMARY

The United States District Court for the District of Utah dismissed Tom E. Hinkley’s pro se civil-rights action without prejudice for lack of subject-matter jurisdiction. The court applied the Rooker-Feldman doctrine to claims related to a Utah probate and quiet-title proceeding and alternatively identified judicial immunity, lack of state action, pleading deficiencies, municipal-liability defects, frivolousness, and statute-of-limitations concerns.

CASE DETAILS

COURT	United States District Court for the District of Utah, Central Division
WRITING FOR THE COURT	Tena Campbell
JURISDICTION	United States District Court for the District of Utah, Central Division
DECIDED	February 25, 2026
DOCKET	2:26-cv-00035
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se plaintiff brought claims under 42 U.S.C. § 1983 and sought leave to proceed in forma pauperis and a temporary restraining order. The district court denied the motions and dismissed the action without prejudice for lack of subject matter jurisdiction.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2)(B), an action by an in forma pauperis plaintiff must be dismissed if it is frivolous or malicious, fails to state a claim, or seeks monetary relief from an immune defendant. On a failure-to-state-a-claim review, well-pleaded factual allegations are accepted as true and construed in the plaintiff’s favor, but conclusory allegations must be disregarded and the complaint must state a plausible claim.

PRECEDENTIAL VALUE	Nonprecedential district-court memorandum decision and order
PARTIES	Tom E. Hinkley v. John P. Hinkley, Gerald K. Johnson, Anthony R. Martineau, Jason W. Hardin, Sara Bouley, Judge Kara Pettit, City of West Jordan, Mayor Dirk Burton, Todd Zahlmann, West Jordan Police Department, Does 1–10

TOPICS

subject matter jurisdiction civil procedure section 1983 probate real estate

PRACTICE AREAS

civil procedure constitutional law civil rights probate real estate

QUESTIONS PRESENTED

1. Whether the Rooker-Feldman doctrine deprived the federal district court of subject matter jurisdiction over claims seeking to overturn or redress injuries caused by state-court probate and quiet-title judgments.
2. Whether claims against the state-court judge were barred by judicial immunity.
3. Whether the private trustees and attorneys could be liable under 42 U.S.C. § 1983 absent state action.
4. Whether the claims against the police department, municipality, mayor, and individual city official stated viable claims under § 1983.
5. Whether amendment would be futile because of jurisdictional defects, immunity, lack of state action, implausibility, and insufficient factual allegations.

HOLDINGS

1. A federal district court lacks subject matter jurisdiction over claims seeking review or reversal of state-court judgments, including claims that are inextricably intertwined with those judgments.
2. A judge is generally immune from suits for damages and, under § 1983, injunctive relief, unless the judge acted outside the judge's judicial capacity or in the absence of all jurisdiction.
3. Private trustees and attorneys are not liable under § 1983 based solely on their participation in private litigation unless they acted under color of state law through joint activity with the State or its agents.
4. A municipality is not liable under § 1983 solely through respondeat superior; the plaintiff must identify a municipal policy or custom causing the constitutional violation, and an individual defendant must have personally participated in the alleged violation.

KEY QUOTATIONS

“The Rooker-Feldman doctrine provides that federal district courts “lack jurisdiction to adjudicate claims seeking review of state court judgments.””

“A federal claim is inextricably intertwined with a state-court judgment if that judgment caused, actually and proximately, the injury for which the federal-court plaintiff seeks redress.”

FACTUAL BACKGROUND

Hinkley alleged a decades-long conspiracy involving a Utah probate and trust proceeding, property-related disputes, alleged retaliation, harassment, trespass, water shutoff, and eviction. The state probate court had removed him as trustee, appointed John P. Hinkley and Gerald K. Johnson as trustees, and later quieted title to the West Jordan property in favor of the new trustees; the Utah Court of Appeals affirmed. Hinkley sought more than \$110 million in damages, an injunction staying eviction and restoring water, and fees under civil-rights theories.

PROCEDURAL HISTORY

Hinkley filed a federal civil-rights complaint concerning events connected to a Utah probate and trust proceeding, including the removal of Hinkley as trustee, quiet-title proceedings, and alleged eviction and utility shutoff. The court took judicial notice of the state-court docket and orders, including the Utah Court of Appeals' affirmance of the state district court's order. The federal court dismissed the action without prejudice and denied the pending motions.

DISPOSITION

dismissed

CASES CITED

- *Buchheit v. Green*, 705 F.3d 1157, 1160–61 (10th Cir. 2012)
- *Kay v. Bemis*, 500 F.3d 1214, 1217 (10th Cir. 2007)
- *Ridge at Red Hawk, L.L.C. v. Schneider*, 493 F.3d 1174, 1177 (10th Cir. 2007)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 554–56 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678, 681 (2009)
- *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991)
- *Bisbee v. McCarty*, 3 F. App'x 819, 822 (10th Cir. 2001)
- *D.C. Ct. of Appeals v. Feldman*, 460 U.S. 462, 486 (1983)
- *Rooker v. Fidelity Trust Co.*, 263 U.S. 413, 415 (1923)
- *Van Sickle v. Holloway*, 791 F.2d 1431, 1436 (10th Cir. 1986)
- *Bear v. Patton*, 451 F.3d 639, 641–42 (10th Cir. 2006)
- *Mireles v. Waco*, 502 U.S. 9, 9–12 (1991)
- *Ysais v. New Mexico*, 373 F. App'x 863, 866 (10th Cir. 2010)
- *Bradley v. Fisher*, 13 Wall. 335, 347 (1872)
- *Watson v. City of Kansas City*, 857 F.2d 690, 694 (10th Cir. 1988)
- *Montgomery v. City of Ardmore*, 365 F.3d 926, 942 (10th Cir. 2004)

- *Adickes v. S.H. Kress & Co.*, 398 U.S. 144, 152 (1970)
- *Read v. Klein*, 1 F. App'x 866, 870 (10th Cir. 2001)
- *American Manufacturers Mutual Insurance Co. v. Sullivan*, 526 U.S. 40, 50 (1999)
- *Fail v. West Valley City*, No. 2:04-cv-1094, 2006 WL 842910, at *2 (D. Utah Mar. 28, 2006)
- *Brewer v. Davis County*, No. 1:15-cv-40-TC, 2020 WL 2840345, at *15 (D. Utah June 1, 2020)
- *Monell v. Department of Social Services*, 436 U.S. 658, 691 (1978)
- *Board of County Commissioners v. Brown*, 520 U.S. 397, 403 (1997)
- *Vasquez v. Davis*, 882 F.3d 1270, 1275 (10th Cir. 2018)
- *Robbins v. Oklahoma*, 519 F.3d 1242, 1250 (10th Cir. 2008)
- *Estate of Romer v. Johnson*, 764 F. App'x 784, 790 n.5 (10th Cir. 2019)
- *Tonkovich v. Kansas Board of Regents*, 159 F.3d 504, 532–33 (10th Cir. 1998)
- *Parker v. Bourdon*, 800 F. App'x 654, 657 (10th Cir. 2020)

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