

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Mario Macellari v. Jorge F. Coombs

Macellari · No. 1:25-cv-06780 · Decided February 11, 2026

SUMMARY

The United States District Court for the District of New Jersey grants Mario Macellari leave to proceed in forma pauperis but dismisses his complaint without prejudice under 28 U.S.C. § 1915(e)(2) (B). The court concludes that the claims against a state court judge arise from judicial acts protected by judicial immunity and lack sufficient factual support, while allowing Macellari thirty days to file an amended complaint.

CASE DETAILS

COURT	United States District Court for the District of New Jersey
WRITING FOR THE COURT	Renée Marie Bumb
JURISDICTION	United States District Court for the District of New Jersey
DECIDED	February 11, 2026
DOCKET	1:25-cv-06780
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se plaintiff sought leave to proceed in forma pauperis and brought a civil-rights action against a sitting state-court judge. The district court granted in forma pauperis status, screened the complaint under 28 U.S.C. § 1915(e)(2)(B), dismissed the complaint without prejudice for failure to state a claim, and allowed plaintiff thirty days to file an amended complaint.
STANDARD OF REVIEW	On IFP screening under 28 U.S.C. § 1915(e)(2)(B), the court must dismiss a complaint that is frivolous or malicious or that fails to state a claim upon which relief can be granted. Pro se pleadings are read liberally, but a pro se plaintiff must still allege sufficient facts to support the claims.
PRECEDENTIAL VALUE	Unpublished district court memorandum order; nonprecedential

TOPICS

- civil procedure
- section 1983
- due process

PRACTICE AREAS

civil procedure

civil rights

constitutional law

federal courts

QUESTIONS PRESENTED

1. Whether Macellari established indigence sufficient to proceed in forma pauperis.
2. Whether the complaint stated a viable due-process claim against a state judge for actions taken while presiding over a pending criminal matter.
3. Whether the complaint was subject to dismissal under 28 U.S.C. § 1915(e)(2)(B) for failure to state a claim.

HOLDINGS

1. A litigant qualifies to proceed in forma pauperis when the financial information submitted demonstrates that he is unable to pay the court fees. Macellari established that he could not pay the fees, so the court granted his IFP application.
2. The complaint failed to state a claim because its allegations arose from the judge's official judicial duties, did not indicate that the judge acted in the complete absence of jurisdiction, and provided only conclusory support for the alleged due-process violation.
3. The court must dismiss an IFP complaint that is frivolous or malicious or that fails to state a claim upon which relief can be granted. Because Macellari's complaint failed to state a claim, the court dismissed it without prejudice under 28 U.S.C. § 1915(e)(2)(B).

KEY QUOTATIONS

“Under the doctrine of judicial immunity, “a judge is not immune from liability for nonjudicial actions, i.e., actions not taken in the judge’s judicial capacity” or “for actions, though judicial in nature, taken in the complete absence of all jurisdiction.””

“Accordingly, this Court dismisses Macellari’s Complaint without prejudice for failing to state a claim upon which relief can be granted.”

FACTUAL BACKGROUND

Macellari sued Judge Jorge F. Coombs based on alleged conduct while Coombs presided over Macellari's pending state criminal matter. Macellari alleged that the judge violated due process by remanding him into custody without fair bail and without honoring the presumption of innocence. The complaint identified no conduct outside the judge's official judicial duties or beyond the scope of his jurisdiction and supplied no factual support beyond conclusory allegations.

PROCEDURAL HISTORY

Macellari filed a complaint against Atlantic County Superior Court Judge Jorge F. Coombs concerning conduct allegedly occurring while Judge Coombs presided over Macellari's pending state criminal matter. Macellari also submitted an application to proceed in forma pauperis. The district court found that Macellari could not pay the

filing fees, granted IFP status, screened the complaint sua sponte, and dismissed it without prejudice while permitting amendment within thirty days.

DISPOSITION

dismissed

CASES CITED

- *Douris v. Newtown Borough, Inc.*, 207 F. App'x 242, 243 (3d Cir. 2006)
- *Hurst v. Shalk*, 659 F. App'x 133, 134 (3d Cir. 2016)
- *Walker v. People Express Airlines, Inc.*, 886 F.2d 598, 601 (3d Cir. 1989)
- *Freeman v. Edens*, 2007 WL 2406789, at *1 (D.N.J. Aug. 17, 2007)
- *Mala v. Crown Bay Marina, Inc.*, 704 F.3d 239, 245 (3d Cir. 2013)
- *Kirkland v. Dileo*, 581 F. App'x 111, 115 (3d Cir. 2014)
- *Mireles v. Waco*, 502 U.S. 9, 11-12 (1991)
- *Erickson v. Pardus*, 551 U.S. 89, 94 (2007)

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