

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
KENTUCKY, CENTRAL DIVISION

Tanyqua Latrice Oliver v. Tyler Murphy, et al.

Civil Action No. 5:26-018-DCR (E.D. Ky. Mar. 5, 2026) · No. 5:26-018-DCR · Decided March 5, 2026

SUMMARY

The United States District Court for the Eastern District of Kentucky dismissed Tanyqua Latrice Oliver’s amended pro se complaint under 28 U.S.C. § 1915(e)(2). The court held that Oliver failed to state claims for First Amendment retaliation and under the False Claims Act, and declined to exercise supplemental jurisdiction over her state-law defamation and intentional-infliction-of-emotional-distress claims. The case was stricken from the docket, and the state-law claims were dismissed without prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of Kentucky, Central Division
WRITING FOR THE COURT	Danny C. Reeves
JURISDICTION	United States District Court for the Eastern District of Kentucky, Central Division
DECIDED	March 5, 2026
DOCKET	5:26-018-DCR
DISPOSITION	dismissed
PROCEDURAL POSTURE	The court screened Oliver's Amended Complaint under 28 U.S.C. § 1915(e)(2) after granting her leave to proceed in forma pauperis.
STANDARD OF REVIEW	On screening under 28 U.S.C. § 1915(e)(2), the court construed the pro se plaintiff's claims liberally and accepted factual allegations as true, while dismissing claims that were frivolous, malicious, failed to state a claim, or sought monetary relief from an immune defendant.
PRECEDENTIAL VALUE	unknown
PARTIES	Tanyqua Latrice Oliver v. Tyler Murphy, Joshua Salsbury

TOPICS

- motions to dismiss
- first amendment
- free speech
- civil rights
- civil procedure

PRACTICE AREAS

civil rights

constitutional law

civil procedure

torts

QUESTIONS PRESENTED

1. Whether Oliver adequately pleaded a First Amendment retaliation claim based on alleged defamatory letters and statements made after her open-meetings complaint.
2. Whether Oliver adequately pleaded a conspiracy claim against Murphy and Salsbury.
3. Whether Oliver stated a claim under the False Claims Act based on allegedly false submissions to the Kentucky Attorney General.
4. Whether the court should retain supplemental jurisdiction over Oliver's state-law defamation and intentional-infliction-of-emotional-distress claims after dismissing the federal claims.

HOLDINGS

1. Oliver failed to state a First Amendment retaliation claim because she did not clearly allege an adverse action capable of deterring a person of ordinary firmness, causation or retaliatory motivation, or that the alleged statements were made in response to her protected conduct at the Board meeting.
2. Oliver failed to state a conspiracy claim because she alleged no facts indicating that Murphy and Salsbury engaged in a conspiracy.
3. Oliver failed to state a False Claims Act claim because she did not identify fraud connected to an actual claim for payment made to the government, and a pro se litigant may not file an FCA claim.
4. The court declined to exercise supplemental jurisdiction over Oliver's defamation and intentional-infliction-of-emotional-distress claims after dismissing the federal claims and dismissed those claims without prejudice.

KEY QUOTATIONS

“The purpose of the False Claims Act is to provide for restitution to the government of money taken from it by fraud.”

“After a 12(b)(6) dismissal, there is a strong presumption in favor of dismissing supplemental claims.”

FACTUAL BACKGROUND

Oliver attended a Fayette County Board of Education meeting on December 19, 2024, after encountering a private celebration before the meeting. During the meeting, she wrote on a marker board, spoke during public comment, and alleged that a school officer shoved or bumped her. After Oliver submitted an open-meetings complaint, Murphy and Salsbury allegedly made written statements characterizing her conduct as physically aggressive and her marker-board messages as inflammatory. The Kentucky Attorney General concluded that the Board had not violated the Open Meetings Act.

PROCEDURAL HISTORY

Oliver filed a Complaint and an Amended Complaint alleging First Amendment retaliation, conspiracy, defamation, intentional infliction of emotional distress, and a False Claims Act violation arising from her conduct at a Fayette County Board of Education meeting and subsequent complaints to the Kentucky Attorney General. The court reviewed the Amended Complaint under the in forma pauperis screening statute and dismissed it. The federal claims were dismissed for failure to state a claim, and the remaining state-law claims were dismissed without prejudice because the court declined supplemental jurisdiction.

DISPOSITION

dismissed

CASES CITED

- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Burton v. Jones, 321 F.3d 569, 573 (6th Cir. 2003)
- Hill v. Lappin, 630 F.3d 468, 472 (6th Cir. 2010)
- Thaddeus-X v. Blatter, 175 F.3d 378, 394, 396, 398 (6th Cir. 1999)
- Dye v. Office of the Racing Commission, 702 F.3d 286, 303 (6th Cir. 2012)
- Kim v. Grand Valley State University, No. 18-1637, 2018 WL 11303642, at *2 (6th Cir. Nov. 7, 2018)
- U.S. ex rel. Augustine v. Century Health Services, Inc., 289 F.3d 409, 413 (6th Cir. 2002)
- Chesbrough v. VPA, P.C., 655 F.3d 461, 473 (6th Cir. 2011)
- Landefeld v. Marion General Hospital, Inc., 994 F.2d 1178, 1182 (6th Cir. 1993)
- Orton v. Johnny's Lunch Franchise, LLC, 668 F.3d 843, 850 (6th Cir. 2012)
- Carlsbad Technology, Inc. v. HIF Bio, Inc., 556 U.S. 635, 639 (2009)
- Musson Theatrical, Inc. v. Federal Express Corp., 89 F.3d 1244, 1255 (6th Cir. 1996)