

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TENNESSEE

William Cooper, Sr. and Ewayna M. Brown v. City of Memphis, et al.

Cooper v. City of Memphis · No. 2:24-cv-02842-BCL-atc · Decided May 8, 2026

SUMMARY

The United States District Court for the Western District of Tennessee overruled the plaintiffs’ objections and adopted three Reports and Recommendations concerning dismissal, substitution, and injunctive relief. The court dismissed claims against specified defendants, all official-capacity claims, and all claims brought by William Cooper, while denying the requested temporary restraining order, preliminary injunction, and protective order. The order was entered on May 8, 2026.

CASE DETAILS

COURT	United States District Court for the Western District of Tennessee
WRITING FOR THE COURT	Brian C. Lea
JURISDICTION	United States District Court for the Western District of Tennessee
DECIDED	May 8, 2026
DOCKET	2:24-cv-02842-BCL-atc
DISPOSITION	other
PROCEDURAL POSTURE	District-court review of magistrate judge reports and recommendations and a magistrate judge order under 28 U.S.C. § 636 and Federal Rule of Civil Procedure 72.
STANDARD OF REVIEW	For non-dispositive magistrate judge orders, clear error or whether the order is contrary to law; for dispositive matters, de novo review of properly objected-to portions under Federal Rule of Civil Procedure 72(b)(3) and 28 U.S.C. § 636(b)(1). Unobjected-to portions need not be reviewed de novo or under any other standard.
PRECEDENTIAL VALUE	Unknown; district-court order adopting reports and recommendations.
PARTIES	William Cooper, Sr., Ewayna M. Brown v. City of Memphis, Chief Davis, Mayor Young, St. Francis Hospital, MLGW, other defendants

TOPICS

[motions to dismiss](#)

[injunctions](#)

[section 1983](#)

[municipal liability](#)

[civil procedure](#)

PRACTICE AREAS

civil procedure

civil rights

municipal liability

injunctive relief

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's reports and recommendations after reviewing Plaintiffs' objections.
2. Whether a pro se litigant may represent another person's claims or estate interests based on a power of attorney.
3. Whether a single alleged incident supports a § 1983 municipal-liability claim against the City of Memphis.
4. Whether an objection to a report and recommendation is a proper vehicle for seeking leave to amend a complaint.
5. Whether Plaintiffs demonstrated a sufficient likelihood of future injury to obtain temporary restraining or preliminary injunctive relief.
6. Whether the denial of substitution under Federal Rule of Civil Procedure 25(a) was clearly erroneous or contrary to law, including whether equitable tolling applied to the 90-day substitution period.

HOLDINGS

1. Objections must be clear and specific enough to identify the disputed issues and permit the district court to address them on the merits; a pro se litigant is not exempt from that requirement.
2. A pro se litigant may represent herself but may not act in a representative capacity on behalf of another person or pursue that person's cause of action, even when granted power of attorney.
3. A single alleged instance of misconduct, standing alone, is not evidence of a municipal policy encouraging, facilitating, or contributing to the alleged misconduct.
4. An objection to a report and recommendation is not a proper vehicle for seeking leave to amend a complaint; amendment should be requested by motion.
5. Prospective injunctive relief requires allegations and ultimately proof of a likelihood of future injury from unlawful activity; past harm and generalized allegations are insufficient.
6. Federal courts generally may not enjoin ongoing state prosecutions.
7. The denial of Brown's motion to substitute herself for Cooper was neither clearly erroneous nor contrary to law where the motion was untimely and the asserted grounds for tolling were forfeited or unsupported.

KEY QUOTATIONS

“Because, by definition, pro se means to appear on one's own behalf, a person may not appear pro se on another person's behalf in the other's cause of action.” (Analysis § II.a)

“An objection to an R&R is not a proper avenue to bring a Rule 15 motion for leave to file an amended complaint.” (Analysis § II.b)

FACTUAL BACKGROUND

Plaintiffs brought claims arising from alleged law-enforcement conduct, including false arrest and false imprisonment under 42 U.S.C. § 1983. Ewayna M. Brown attempted to pursue claims on behalf of William Cooper, Sr., relying in part on a claimed power of attorney and later seeking substitution as executor after Cooper's death. Brown also sought temporary restraining, preliminary, and protective relief based primarily on past law-enforcement events and alleged pending criminal charges.

PROCEDURAL HISTORY

Magistrate Judge Annie T. Christoff issued three reports and recommendations addressing partial sua sponte dismissal, service of process, a motion to dismiss, dismissal of claims and parties, and motions for temporary restraining, preliminary, and protective relief. Plaintiffs timely objected to each report. The district court overruled the objections, adopted all three reports and recommendations, upheld the denial of substitution, granted the City's motion to dismiss, dismissed specified claims and parties, and denied the requested injunctive relief.

DISPOSITION

other

CASES CITED

- United States v. Curtis, 237 F.3d 598, 602 (6th Cir. 2001)
- Gomez v. United States, 490 U.S. 858, 869-70 (1989)
- Baker v. Peterson, 67 F. App'x 308, 310 (6th Cir. 2003)
- Thomas v. Arn, 474 U.S. 140, 150-51 (1985)
- Miller v. Currie, 50 F.3d 373, 380 (6th Cir. 1995)
- Jessie v. Phaneuf, 2023 WL 1099756, at *2 (E.D. Mich. Jan. 30, 2023)
- Pearce v. Chrysler Grp. LLC Pension Plan, 898 F.3d 339, 346 (6th Cir. 2018)
- Taylor v. Haven Hill MHP, 2021 WL 4972451, at *1 (W.D. Tenn. Oct. 26, 2021)
- Williams v. Curtin, 631 F.3d 380, 383 (6th Cir. 2011)
- Martin v. Overton, 391 F.3d 710, 712 (6th Cir. 2004)
- Salaam v. McKee, No. 5:05-cv-97, 2006 WL 2590509, at *1 (W.D. Mich. Aug. 2, 2006)
- Zanecki v. Health All. Plan of Detroit, 576 F. App'x 594, 595 (6th Cir. 2014)
- Cavanaugh ex rel. Cavanaugh v. Cardinal Local Sch. Dist., 409 F.3d 753, 755 (6th Cir. 2005)
- Winkelman ex rel. Winkelman v. Parma City Sch. Dist., 550 U.S. 516 (2007)
- DePonceau v. Pataki, 315 F. Supp. 2d 338, 341 (W.D.N.Y. 2004)
- Lutz v. Lavelle, 809 F. Supp. 323, 325 (M.D. Pa. 1991)
- Rogan v. Tomlinson, No. 19-12975, 2021 WL 1105293, at *4 (E.D. Mich. Mar. 23, 2021)
- Akers v. Gregory Funding, No. 21-00693, 2022 WL 2713546, at *4 (M.D. Tenn. July 12, 2022)
- City of Los Angeles v. Lyons, 461 U.S. 95, 102 (1983)

- *Younger v. Harris*, 401 U.S. 37, 45 (1971)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/federal/united-states-district-court-for-the-western-district-of-ten/2026/william-cooper-sr-and-ewayna-m-brown-v-city-of-memphis-et-al-r0q3us20>