

**UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ALABAMA, SOUTHERN DIVISION**

Nameros D. Ford v. Birmingham Crossplex Transit Center

No. 2:26-cv-213-ACA (N.D. Ala. Mar. 16, 2026) · No. 2:26-cv-213-ACA · Decided March 16, 2026

OPINION

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION NAMEROS D. FORD, } } Plaintiff, } } v. } Case No. 2:26-cv-213-ACA
} BIRMINGHAM CROSSPLEX } TRANSIT CENTER, } } Defendant. } MEMORANDUM
OPINION The court ordered pro se Plaintiff Nameros Ford to show cause why the court should not dismiss his civil rights complaint against Defendant Birmingham Crossplex Transit Center (“BCTC”) under 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim on which relief may be granted.

(Doc. 7; see doc. 1). In the order, the court implored Mr. Ford to clarify what constitutional guarantee would require BCTC to ensure window access on its buses. (Doc. 7 at 2–3). In response, Mr. Ford cites the purpose statement of the Department of Transportation, 49 U.S.C. § 101, and an administrative provisions section of Title 34 regarding crime control and law enforcement, 34 U.S.C. § 10237.

Neither of these statutes create a constitutional right to window access. Accordingly, Mr. Ford has failed to state a constitutional claim that is plausible on its face. Dismissal with prejudice is appropriate when a complaint cannot be more carefully drafted to state a claim. *Ounjian v. Globoforce, Inc.*, 89 F.4th 852, 862 (11th Cir. 2023).

Accordingly, the court WILL DISMISS this action WITH PREJUDICE. Mr. Ford also cites Title VI of the Civil Rights Act of 1964. (Doc. 9 at 2). Mr. Ford does assert a Title VI claim in his complaint (doc. 1), so the court construes the response as a motion to amend. Courts should allow leave to amend freely “when justice so requires.” Fed. R. Civ. P. 15(a)(2).

But a court may deny leave to amend when amendment would be futile. *Hall v. United Ins. Co. of Am.*, 367 F.3d 1255, 1262–63 (11th Cir. 2004). “[D]enial of leave to amend is justified by futility when the complaint as amended is still subject to dismissal.” *Id.* at 1263 (quotation marks omitted). Title VI prohibits organizations receiving federal funds from discriminating based on race, color, or national origin.

Alexander v. Sandoval, 532 U.S. 275, 278 (2001). Mr. Ford does not explain how BCTC’s use of screws to close windows on its buses could be race-based discrimination. So Mr. Ford’s amendment still fails to state a claim.

Thus, the court WILL DENY the motion to amend. Finally, Mr. Ford moves to proceed to trial. (Doc. 10). Because the court's dismissal of Mr. Ford's complaint resolves this issue, the court WILL DENY it as MOOT. To conclude, the court WILL DENY the motion to amend as futile and WILL DISMISS this action WITH PREJUDICE.

The court WILL DENY Mr. Ford's motion to proceed to trial as MOOT. (Doc. 10). The court will enter a separate final order consistent with this opinion. DONE and ORDERED this March 16, 2026. ANNEMARIE CARNEY AXON UNITED STATES DISTRICT JUDGE