

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF  
MICHIGAN, SOUTHERN DIVISION

Aquarius Johnson v. Drake Aubrey Graham and Jahron Anthony  
Brathwaite

Johnson v. Graham · No. 1:25-cv-597 · Decided February 20, 2026

SUMMARY

The United States District Court for the Western District of Michigan grants Plaintiff Aquarius Johnson leave to proceed in forma pauperis for service purposes but dismisses his copyright infringement complaint without prejudice. The court holds that Johnson cannot state a copyright infringement claim because he had not registered the alleged copyright, and any analogous state-law claim would be preempted by the Copyright Act. The court rejects the magistrate judge's report and recommendation recommending dismissal for failure to timely serve the defendants.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                     |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Western District of Michigan, Southern Division                                                                                                                                                                                                                                                |
| WRITING FOR THE COURT | Hala Y. Jarbou                                                                                                                                                                                                                                                                                                                      |
| JURISDICTION          | United States District Court for the Western District of Michigan, Southern Division                                                                                                                                                                                                                                                |
| DECIDED               | February 20, 2026                                                                                                                                                                                                                                                                                                                   |
| DOCKET                | 1:25-cv-597                                                                                                                                                                                                                                                                                                                         |
| DISPOSITION           | dismissed                                                                                                                                                                                                                                                                                                                           |
| PROCEDURAL POSTURE    | The court reviewed a magistrate judge's report and recommendation recommending dismissal for failure to serve the defendants. After granting the plaintiff leave to proceed in forma pauperis for service purposes, the court independently screened the complaint and dismissed it without prejudice for failure to state a claim. |
| STANDARD OF REVIEW    | The court screened the in forma pauperis complaint under 28 U.S.C. § 1915(e)(2)(B), dismissing it if frivolous, malicious, or failing to state a claim upon which relief may be granted.                                                                                                                                            |
| PRECEDENTIAL VALUE    | Unpublished district court order; precedential status not identified in the source.                                                                                                                                                                                                                                                 |

## TOPICS

copyright infringement

copyright law

motions to dismiss

service of process

civil procedure

## PRACTICE AREAS

Copyright

Civil procedure

In forma pauperis proceedings

Pleading sufficiency

## QUESTIONS PRESENTED

1. Whether the court should grant Plaintiff in forma pauperis status for purposes of service despite his payment of the filing fee.
2. Whether Plaintiff's copyright-infringement complaint stated a claim when Plaintiff alleged that he had not registered the relevant copyright.
3. Whether any analogous state-law claim was preempted by the Copyright Act.

## HOLDINGS

1. The court granted Plaintiff's initial application to proceed in forma pauperis for purposes of service, allowing the United States Marshals to serve the complaint.
2. Plaintiff could not state a copyright-infringement claim because he alleged that he had not registered the copyright for the album or songs at issue.
3. Any analogous state-law claim was preempted by the Copyright Act.

## KEY QUOTATIONS

““Before pursuing an infringement claim in court, however, a copyright claimant generally must comply with § 411(a)’s requirement that ‘registration of the copyright claim has been made.’”” (PageID.3)

““Therefore, although an owner’s rights exist apart from registration, registration is akin to an administrative exhaustion requirement that the owner must satisfy before suing to enforce ownership rights.”” (PageID.3)

## FACTUAL BACKGROUND

Plaintiff alleged that Drake Aubrey Graham and Jahron Anthony Brathwaite used music Plaintiff had written on a recent album without compensating him. Plaintiff claimed that he writes songs for many artists, that numerous works were stolen along with his music book, and that authorship could be shown through playing the songs backward or identifying subliminal messages. Plaintiff also alleged that he was unable to obtain a copyright for the album or songs at issue.

## PROCEDURAL HISTORY

Plaintiff, a pro se prisoner, filed a copyright-infringement complaint and initially applied to proceed in forma pauperis. He paid the filing fee before the court ruled on that application. Magistrate Judge Sally J. Berens recommended dismissal because Plaintiff had not served any defendant within the required period. Plaintiff objected, asserting that he believed the United States Marshals would serve the complaint. The district court

granted in forma pauperis status for purposes of service, rejected the R&R, screened the complaint under 28 U.S.C. § 1915(e)(2), and dismissed the complaint without prejudice.

#### **DISPOSITION**

dismissed

#### **CASES CITED**

- Fourth Est. Pub. Benefit Corp. v. Wall-Street.com, LLC, 586 U.S. 296, 301 (2019)
- Ritchie v. Williams, 395 F.3d 283, 286–87 (6th Cir. 2005)

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