

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
MISSISSIPPI, GREENVILLE DIVISION

Jeremiah Thomas Hair v. Errick Simmons, et al.

Civil No. 4:25-cv-00095-BWR (N.D. Miss. Apr. 24, 2026) · No. Civil No. 4:25-cv-00095-BWR · Decided April 24, 2026

SUMMARY

The United States District Court for the Northern District of Mississippi partially dismissed Jeremiah Thomas Hair’s in forma pauperis civil rights action. The court dismissed with prejudice the claims against Sean Jackson and the City of Greenville, Mississippi, finding the claims frivolous or insufficient under 28 U.S.C. § 1915(e)(2)(B), while allowing claims against Errick Simmons, Derrick Simmons, and Simmons & Simmons Law Firm to proceed. The court also granted Plaintiff’s motion for reasonable accommodation to the extent the requested accommodations were honored at the omnibus hearing.

CASE DETAILS

COURT	United States District Court for the Northern District of Mississippi, Greenville Division
WRITING FOR THE COURT	Bradley W. Rath
JURISDICTION	United States District Court for the Northern District of Mississippi, Greenville Division
DECIDED	April 24, 2026
DOCKET	Civil No. 4:25-cv-00095-BWR
DISPOSITION	other
PROCEDURAL POSTURE	The court sua sponte screened an in forma pauperis prisoner's complaint under the Prison Litigation Reform Act and partially dismissed claims against two defendants while allowing claims against the remaining defendants to proceed.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2)(B), an in forma pauperis complaint must be dismissed if it is frivolous or malicious, fails to state a claim, or seeks monetary relief from an immune defendant. The court evaluates the merits sua sponte and may conduct screening before service of process. Dismissal at screening is appropriate when the plaintiff has pleaded his best case and the deficiencies cannot be cured by more specific pleading.

TOPICS

section 1983

prisoners rights

municipal liability

statute of limitations

civil procedure

PRACTICE AREAS

civil rights litigation

prisoner civil rights

municipal liability

federal civil procedure

QUESTIONS PRESENTED

1. Whether Hair stated a cognizable claim under 42 U.S.C. § 1983 against Jackson when he alleged that Jackson made false accusations but did not allege facts showing that Jackson acted under color of state law or conspired with state actors.
2. Whether Hair's § 1983 claims against Jackson were barred by Mississippi's three-year personal-injury limitations period.
3. Whether Hair stated a municipal-liability claim against Greenville by alleging generalized policies of deliberate indifference without identifying a specific policy, custom, final decision, or supporting facts.

HOLDINGS

1. Hair failed to state a § 1983 claim against Jackson because he alleged no specific facts showing that Jackson, a private actor, acted under color of state law or entered into a conspiracy with state actors.
2. Hair's § 1983 claims against Jackson were time-barred because they accrued no later than April 17, 2015, and were not filed within Mississippi's three-year limitations period.
3. Hair failed to state a Monell claim against Greenville because he did not identify a specific official policy or custom, establish the required policymaker knowledge, or allege a constitutional violation caused by such a policy or custom.
4. The claims against Jackson and Greenville were dismissed with prejudice as frivolous and for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(i)-(ii).

KEY QUOTATIONS

"A plaintiff's constitutional rights must have been violated." (III.A)

"Boilerplate allegations of municipal policy, entirely lacking in any factual support that municipal policy does exist, are insufficient." (III.B)

FACTUAL BACKGROUND

Hair alleged that Sean Jackson, an Office Depot assistant manager, falsely accused him in connection with a 2015 armed-robbery charge, leading to his arrest and prosecution; Hair was acquitted in 2017. Hair also alleged that Greenville maintained policies or customs of deliberate indifference, including failure to supervise and train,

and retaliated against him after an earlier civil-rights lawsuit. At the Omnibus Hearing, Hair could not identify the exact municipal policy or provide specific facts showing a municipal custom or pattern.

PROCEDURAL HISTORY

Hair filed this action on June 23, 2025, asserting claims under 42 U.S.C. §§ 1983 and 1985 against individual defendants, a law firm, and the City of Greenville. The allegations were clarified at an Omnibus Hearing on March 2, 2026. The court dismissed the claims against Sean Jackson and the City of Greenville with prejudice as frivolous and for failure to state a claim, terminated those defendants, and allowed the claims against Errick Simmons, Derrick Simmons, and Simmons & Simmons Law Firm to proceed.

DISPOSITION

other

CASES CITED

- Spears v. McCotter, 766 F.2d 179, 181-82 (5th Cir. 1985)
- Neitzke v. Williams, 490 U.S. 319, 324 n.3 (1989)
- Ruiz v. Brennan, 851 F.3d 464, 468 (5th Cir. 2017)
- Fountain v. Rupert, 819 F. App'x 215, 218 (5th Cir. 2020) (per curiam)
- Ali v. Higgs, 892 F.2d 438, 440 (5th Cir. 1990)
- Brewster v. Dretke, 587 F.3d 764, 768 (5th Cir. 2009)
- Eason v. Thaler, 14 F.3d 8, 9 (5th Cir. 1994)
- Rockette v. Carpenter Mgmt. Co., No. 3:23-cv-00406-MPM-RP, 2025 WL 888427, at *2 (N.D. Miss. Mar. 21, 2025)
- Clark v. McAllister, No. 3:21-cv-00219-RP, 2022 WL 2761305, at *3 (N.D. Miss. July 13, 2022)
- Green v. Montgomery, No. 3:25-cv-00340-JDM-RP, 2026 WL 906452, at *2 (N.D. Miss. Apr. 2, 2026)
- Montgomery v. Lowndes Cnty., Miss., No. 1:24-cv-00196-SA-RP, 2025 WL 1559604, at *2-3 (N.D. Miss. June 2, 2025)
- Peña v. City of Rio Grande City, 879 F.3d 613, 622 (5th Cir. 2018)
- Taylor v. City of Batesville, Miss., No. 3:25-cv-00124-MPM-RP, 2025 WL 3691872, at *3 (N.D. Miss. Dec. 19, 2025)

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