

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
MISSOURI, EASTERN DIVISION

Mario Lamar Wilkes v. U.S. Eastern District of Missouri Courts  
Probation and Parole

Wilkes · No. 4:25-cv-01528-SRW · Decided February 6, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri grants Mario Lamar Wilkes's application to proceed in forma pauperis. After screening the complaint under 28 U.S.C. § 1915, the court dismisses the action without prejudice for failure to state a claim because the complaint does not provide sufficient factual allegations, identify the defendant's conduct, connect the alleged injuries to the defendant, or request relief. The court also certifies that an appeal would not be taken in good faith.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of Missouri, Eastern Division                                                                                                                                                                                                                                                                                                    |
| WRITING FOR THE COURT | Stephen N. Limbaugh, Jr.                                                                                                                                                                                                                                                                                                                                                               |
| JURISDICTION          | United States District Court for the Eastern District of Missouri                                                                                                                                                                                                                                                                                                                      |
| DECIDED               | February 6, 2026                                                                                                                                                                                                                                                                                                                                                                       |
| DOCKET                | 4:25-cv-01528-SRW                                                                                                                                                                                                                                                                                                                                                                      |
| DISPOSITION           | dismissed                                                                                                                                                                                                                                                                                                                                                                              |
| PROCEDURAL POSTURE    | The plaintiff filed a civil-rights action and moved to proceed without prepayment of filing fees. The district court granted in forma pauperis status, screened the complaint under 28 U.S.C. § 1915, and dismissed the action without prejudice for failure to state a claim.                                                                                                         |
| STANDARD OF REVIEW    | On initial review under 28 U.S.C. § 1915(e)(2), the court accepts well-pleaded facts as true, liberally construes a self-represented litigant's complaint, and determines whether the complaint is frivolous, malicious, fails to state a claim, or seeks relief from an immune defendant. The complaint must contain sufficient factual matter to state a plausible claim for relief. |
| PRECEDENTIAL VALUE    | unpublished                                                                                                                                                                                                                                                                                                                                                                            |

## PARTIES

Mario Lamar Wilkes v. U.S. Eastern District of Missouri Courts  
Probation and Parole

## TOPICS

motions to dismiss civil procedure section 1983 civil rights

## PRACTICE AREAS

Civil procedure Civil rights Federal courts

## QUESTIONS PRESENTED

1. Whether the complaint stated a plausible civil-rights claim sufficient to survive initial review under 28 U.S.C. § 1915(e)(2).
2. Whether the district court should grant the plaintiff's application to proceed without prepayment of filing fees and costs.

## HOLDINGS

1. The complaint failed to state a plausible claim for relief because it supplied no facts describing the defendant's actions, did not connect the alleged arrests, harassment, denial of food, or injuries to the defendant, did not clearly identify the defendant, and requested no relief.
2. The application to proceed without prepayment of the required filing fees and costs was granted.

## KEY QUOTATIONS

*“A “liberal construction” means that if the essence of an allegation is discernible, the district court should construe the plaintiff’s complaint in a way that permits the claim to be considered within the proper legal framework.”*

*“A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.”*

## FACTUAL BACKGROUND

Wilkes alleged that he was harassed, denied food, injured, and arrested on three dates in 2025 at a residence, on public transit, and at a food stamp office. He did not identify which events occurred at which locations or dates, did not explain his injuries, and did not connect any alleged conduct to the named defendant. The complaint was also partially cut off and requested no relief.

## PROCEDURAL HISTORY

Wilkes filed the action on October 9, 2025, naming the U.S. Eastern District of Missouri Courts Probation and Parole as the sole defendant. After granting his application to proceed in forma pauperis, the district court conducted an initial review under 28 U.S.C. § 1915 and dismissed the complaint without prejudice. The court also certified that an appeal from the dismissal would not be taken in good faith.

## DISPOSITION

dismissed

## CASES CITED

- White v. Clark, 750 F.2d 721, 722 (8th Cir. 1984)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Solomon v. Petray, 795 F.3d 777, 787 (8th Cir. 2015)
- Martin v. Aubuchon, 623 F.2d 1282, 1286 (8th Cir. 1980)
- Stone v. Harry, 364 F.3d 912, 914-15 (8th Cir. 2004)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Ashcroft v. Iqbal, 556 U.S. 662, 679 (2009)

## OPINION

Wilkes

PER CURIAM.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MISSOURI

EASTERN DIVISION

MARIO LAMAR WILKES, )

) Plaintiff, ) ) v. ) Case No. 4:25-cv-01528-SRW )

U.S. EASTERN DISTRICT OF MISSOURI )

COURTS PROBATION AND PAROLE, )

) Defendant. )

MEMORANDUM AND ORDER

Self-represented plaintiff Mario Lamar Wilkes brings this civil action for alleged violations of his civil rights. The matter is now before the Court upon the Plaintiff's application to proceed without prepayment of the required filing fees and costs. ECF No. 2. Having reviewed the motion and the financial information submitted in support, the Court will grant the motion and waive the filing fee. See 28 U.S.C. § 1915(a)(1). As Plaintiff is now proceeding in forma pauperis, the Court must review his complaint under 28 U.S.C. § 1915. Based on such review and for the reasons explained below, the Court will dismiss this action for failure to state a claim. Legal Standard on Initial Review Under 28 U.S.C. § 1915(e)(2), the Court may dismiss a complaint filed in forma pauperis if the action is frivolous or malicious, fails to state a claim upon which relief can be granted, or seeks monetary relief against a defendant who is immune from such relief. When reviewing a complaint filed by a self-represented person under 28 U.S.C. § 1915, the Court accepts the well-pleaded facts as true, White v. Clark, 750 F.2d 721, 722 (8th Cir. 1984), and it liberally construes

the complaint. *Erickson v. Pardus*, 551 U.S. 89, 94 (2007); *Haines v. Kerner*, 404 U.S. 519, 520 (1972). A “liberal construction” means that if the essence of an allegation is discernible, the district court should construe the plaintiff’s complaint in a way that permits the claim to be considered within the proper legal framework. *Solomon v. Petray*, 795 F.3d 777, 787 (8th Cir. 2015). However, even self-represented plaintiffs are required to allege facts which, if true, state a claim for relief as a matter of law. *Martin v. Aubuchon*, 623 F.2d 1282, 1286 (8th Cir. 1980); see also *Stone v. Harry*, 364 F.3d 912, 914-15 (8th Cir. 2004) (refusing to supply additional facts or to construct a legal theory for the self-represented plaintiff). To state a claim for relief, a complaint must plead more than “legal conclusions” and “[t]hreadbare recitals of the elements of a cause of action [that are] supported by mere conclusory statements.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). A plaintiff must demonstrate a plausible claim for relief, which is more than a “mere possibility of misconduct.” *Id.* at 679. “A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Id.* at 678. Determining whether a complaint states a plausible claim for relief is a context-specific task that requires the reviewing court to draw on its judicial experience and common sense. *Id.* at 679. The Complaint Plaintiff filed the instant action on October 9, 2025. ECF No. 1. He brings this suit against only one defendant – the U.S. Eastern District of Missouri Court Probation and Parole. *Id.* In the section which asked the Plaintiff to identify which federal statutes, treaties, and/or provisions of the United States Constitution are at issue, Plaintiff writes, “Rights, amendments, and laws.” *Id.* at 3. In describing his complaint, Plaintiff states he was harassed, denied food, injured, and arrested. *Id.* at 5. He lists three different dates in 2025 for when these incidents occurred. *Id.* The incidents occurred at a residence, on public transit, and at a food stamp office. *Id.* Plaintiff offers no details about what events took place at what locations or on what dates. It is unclear, for example, if he is claiming that he was arrested on all three dates. For injuries, Plaintiff states, “I have been hospitalized many times on matter and case.” *Id.* He provides no information about what injury he suffered, how he suffered the injury, or on which date(s) the injury occurred. Portions of the complaint appear cut off at the margins, leaving many sentences incomplete. The relief section of the complaint is left entirely blank. Discussion Based on a careful review and liberal construction of the filings before the Court, the Court will dismiss this action. The complaint provides no facts regarding any of Plaintiff’s allegations. The complaint does not describe any actions taken by the Defendant. Plaintiff states he was arrested, harassed, denied food, and injured, yet fails to connect any of those events to the Defendant. In fact, it is not even clear who Plaintiff intends the Defendant to be, as he at times refers to Probation and Parole, and at other times names only the Court. There is no way to discern what Plaintiff is even claiming took place at the core of his complaint. Further, Plaintiff fails to ask the Court for any relief. This Court cannot construct a legal theory for Plaintiff or supply facts on behalf of Plaintiff. See *Stone*, 364 F.3d at 914-15. Even a pro se litigant must allege facts which, if true, state a claim for relief as a matter of law. Plaintiff has failed to establish

any plausible claim for relief. As such, his claim must be dismissed. Accordingly, IT IS HEREBY ORDERED that Plaintiffs application to proceed without prepayment of the required filing fees and costs (ECF No. 2) is GRANTED. IT IS FURTHER ORDERED that this matter is DISMISSED without prejudice for failure to state a claim. IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith. An Order of Dismissal will accompany this Memorandum and Order. Dated this 6" day of February, 2026. STEPHEN N. LIMBAUGH, JR.

SENIOR UNITED STATES DISTRICT JUDGE