

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
MICHIGAN

Genora Greene, et al. v. Rochester Villas Apartments, Inc., et al.

Greene · No. 4:25-cv-13926 · Decided January 5, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan denied without prejudice Genora Greene’s application to proceed without prepaying fees and costs because the financial information provided was insufficient. The court also denied the motion to supplement the complaint, deemed the proposed supplemental pleading inoperative due to pleading and signature deficiencies, and invited the plaintiffs to file a complete amended complaint.

CASE DETAILS

|                       |                                                                                                                                                                                                                      |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of Michigan                                                                                                                                                    |
| WRITING FOR THE COURT | F. Kay Behm                                                                                                                                                                                                          |
| JURISDICTION          | United States District Court for the Eastern District of Michigan                                                                                                                                                    |
| DECIDED               | January 5, 2026                                                                                                                                                                                                      |
| DOCKET                | 4:25-cv-13926                                                                                                                                                                                                        |
| DISPOSITION           | other                                                                                                                                                                                                                |
| PROCEDURAL POSTURE    | The district court considered plaintiffs' motion to supplement or amend the complaint, a proposed supplemental complaint, and Genora Greene's application to proceed without prepaying fees and costs.               |
| STANDARD OF REVIEW    | The court applied Rule 15's standards governing supplemental and amended pleadings, Rule 11(a)'s signature requirement, and its discretion in evaluating an application to proceed without prepaying fees and costs. |
| PRECEDENTIAL VALUE    | unpublished district court order; persuasive value only                                                                                                                                                              |
| PARTIES               | Genora Greene, et al. v. Rochester Villas Apartments, Inc., et al.                                                                                                                                                   |

TOPICS

- motion to amend
- pleadings
- civil procedure

PRACTICE AREAS

## QUESTIONS PRESENTED

1. Whether the court should permit plaintiffs to supplement or amend the complaint under Federal Rule of Civil Procedure 15(d).
2. Whether the proposed supplemental complaint could operate as a pleading despite its unclear party changes and lack of proper signatures.
3. Whether Greene's application to proceed without prepaying fees and costs adequately demonstrated inability to pay.

## HOLDINGS

1. The court denied the motion to supplement because the proposed supplemental complaint was not readily reconcilable with the original complaint and would not promote the efficient resolution of the action.
2. The proposed supplemental complaint was not operative because it was not properly signed by the parties it purported to represent, and the court would have been required to strike it even apart from the Rule 15 deficiencies.
3. The court denied Greene's application to proceed without prepaying fees and costs without prejudice because the application did not provide enough financial information to evaluate her alleged inability to pay.

## KEY QUOTATIONS

*“The court and the eventual Defendants in this action “should not have to guess at” the identities of the parties.” (Section I)*

*“The document at ECF No. 6 is, therefore, not operative as a pleading or supplemental pleading in this matter.” (Section I)*

*“Proceeding in forma pauperis is “a privilege, not a right, and permission to so proceed is committed to the sound discretion of the court.”” (Section II)*

*“a non-lawyer . . . may not bring an action on behalf of another party” (Section III)*

## FACTUAL BACKGROUND

The proposed supplemental complaint sought to add Clayvion Winn as a plaintiff, add ten John or Jane Doe defendants, add allegations and causes of action, and possibly remove existing defendants by omitting them from the caption. The document was difficult to reconcile with the original complaint and lacked valid signatures from both proposed plaintiffs. Greene's fee application reported approximately \$1,285 in monthly income but no debts or regular expenses, leaving the court unable to evaluate her inability to pay the filing fee.

## PROCEDURAL HISTORY

Plaintiffs filed an original complaint, followed by a motion to supplement or amend and a proposed supplemental pleading. The proposed pleading added a plaintiff and multiple Doe defendants, omitted most existing defendants from the caption, and was not properly signed. Greene also filed an incomplete in forma pauperis application. The court denied the motion to supplement, deemed the proposed supplemental pleading inoperative, denied the fee application without prejudice, and invited plaintiffs to file a complete amended complaint and renewed fee applications.

## DISPOSITION

other

## CASES CITED

- Keith v. Volpe, 858 F.2d 467, 475 (9th Cir. 1988)
- Predator Int'l, Inc. v. Gamo Outdoor USA, Inc., 793 F.3d 1177, 1186 (10th Cir. 2015)
- Frengler v. Gen. Motors, 482 F. App'x 975, 976-77 (6th Cir. 2012)
- Becker v. Montgomery, 532 U.S. 757, 764 (2001)
- Mertens v. Biden, No. 4:24-cv-01405-RHH, 2025 LX 351418, 2025 WL 2652903, at \*2 (E.D. Mo. Sep. 15, 2025)
- Camp v. Oliver, 798 F.2d 434, 437 (11th Cir. 1986)
- Young v. Nessel, No. 20-12707, 2021 WL 5713678, at \*1 (E.D. Mich. Apr. 16, 2021)
- Christenson v. City of Roseville, No. 18-1059, 2018 U.S. App. LEXIS 14305, at \*4 (6th Cir. May 30, 2018)
- Eagle Assoc. v. Bank of Montreal, 926 F.2d 1305, 1308 (2d Cir. 1991)
- Brown v. Bargery, 207 F.3d 863, 865-66 (6th Cir. 2000)
- Neitzke v. Williams, 490 U.S. 319, 324 (1989)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)

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