

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
INDIANA, SOUTH BEND DIVISION

Jermaine Young v. Andrew Achey

Young v. Achey · No. 3:26-CV-646-TLS-JEM · Decided May 21, 2026

SUMMARY

The court dismissed Jermaine Young’s prisoner complaint against his criminal defense attorney under 28 U.S.C. § 1915A. It held that the attorney was not acting under color of state law and that amendment would be futile.

CASE DETAILS

|                       |                                                                                                                                                                                                                      |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Northern District of Indiana, South Bend Division                                                                                                                               |
| WRITING FOR THE COURT | Theresa L. Springmann                                                                                                                                                                                                |
| JURISDICTION          | United States District Court for the Northern District of Indiana, South Bend Division                                                                                                                               |
| DECIDED               | May 21, 2026                                                                                                                                                                                                         |
| DOCKET                | 3:26-CV-646-TLS-JEM                                                                                                                                                                                                  |
| DISPOSITION           | dismissed                                                                                                                                                                                                            |
| PROCEDURAL POSTURE    | A prisoner proceeding pro se filed a civil-rights complaint against his criminal defense attorney. The district court screened the complaint under 28 U.S.C. § 1915A and dismissed it as frivolous.                  |
| STANDARD OF REVIEW    | Under 28 U.S.C. § 1915A, the court must review the merits of a prisoner complaint and dismiss it if the action is frivolous or malicious, fails to state a claim, or seeks monetary relief from an immune defendant. |
| PRECEDENTIAL VALUE    | unpublished                                                                                                                                                                                                          |
| PARTIES               | Jermaine Young v. Andrew Achey                                                                                                                                                                                       |

TOPICS

- section 1983
- prisoners rights
- motions to dismiss
- civil rights
- civil procedure

PRACTICE AREAS

## QUESTIONS PRESENTED

1. Whether Young's complaint stated a claim under 42 U.S.C. § 1983 against his criminal defense attorney.
2. Whether the complaint should be dismissed under 28 U.S.C. § 1915A.
3. Whether Young should be granted leave to amend the complaint.

## HOLDINGS

1. The complaint failed to state a § 1983 claim because Achey was not acting under color of state law while performing traditional defense-counsel functions.
2. The action was dismissed as frivolous under 28 U.S.C. § 1915A.
3. Leave to amend was denied because amendment would be futile.

## KEY QUOTATIONS

*“A document filed pro se is to be liberally construed, and a pro se complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers.”*

*“A public defender does not act under color of state law when performing a lawyer’s traditional functions as counsel to a defendant in a criminal proceeding.”*

*“The usual standard in civil cases is to allow defective pleadings to be corrected, especially in early stages, at least where amendment would not be futile.”*

*“District courts, however, have broad discretion to deny leave to amend a complaint where the amendment would be futile.”*

## FACTUAL BACKGROUND

Young, a prisoner proceeding without counsel, alleged that he paid Andrew Achey \$10,000 to represent him in a state criminal case. He alleged that Achey promised to obtain drug-court placement, but Young was instead sentenced to prison. The complaint characterized Achey's representation as constitutionally deficient.

## PROCEDURAL HISTORY

Young alleged that Achey, whom he paid to represent him in a state criminal case, failed to properly represent him and did not obtain placement in drug court. Upon screening the prisoner complaint under § 1915A, the court concluded that Achey was not acting under color of state law and that amendment would be futile. The court dismissed the action as frivolous.

## DISPOSITION

dismissed

## CASES CITED

- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Polk County v. Dodson, 454 U.S. 312, 325 (1981)
- McDonald v. White, 465 F. App'x 544, 548 (7th Cir. 2012)
- Abu-Shawish v. United States, 898 F.3d 726, 738 (7th Cir. 2018)
- Russell v. Zimmer, Inc., 82 F.4th 564, 572 (7th Cir. 2023)

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