

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA, GREENVILLE DIVISION

Mills v. Bluth

Mills v. Bluth · No. 6:26-cv-00760-TMC-WSB · Decided February 25, 2026

SUMMARY

This Report and Recommendation recommends summary dismissal of Anthony Mills’s pro se in forma pauperis action against Arlene Bluth. The court concludes that the complaint fails to establish subject-matter or personal jurisdiction, proper venue, or a plausible claim for relief, and is frivolous and duplicative of numerous substantially identical actions filed in other federal districts. The recommendation also notes that Bluth, identified as a New York state judge, may be entitled to judicial immunity.

CASE DETAILS

COURT	United States District Court for the District of South Carolina, Greenville Division
WRITING FOR THE COURT	William S. Brown, United States Magistrate Judge
JURISDICTION	United States District Court for the District of South Carolina, Greenville Division
DECIDED	February 25, 2026
DOCKET	6:26-cv-00760-TMC-WSB
DISPOSITION	other
PROCEDURAL POSTURE	Report and recommendation on screening of a pro se complaint filed in forma pauperis under 28 U.S.C. § 1915. The magistrate judge recommended sua sponte dismissal before service of process.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2), an in forma pauperis action may be dismissed if it is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief from an immune defendant. Pro se pleadings receive liberal construction, but must still contain sufficient factual matter to state a plausible claim and establish subject matter jurisdiction. A court may also review jurisdiction and dismiss an obviously frivolous complaint sua sponte. If no timely objection is filed to the report and recommendation, the district court reviews for clear error rather than conducting de novo review.

PRECEDENTIAL VALUE	nonprecedential
PARTIES	Anthony Mills v. Arlene Bluth

TOPICS

subject matter jurisdiction personal jurisdiction venue pleadings civil procedure

PRACTICE AREAS

civil procedure constitutional law civil rights federal jurisdiction remedies

QUESTIONS PRESENTED

1. Whether the complaint alleged facts establishing federal-question or diversity subject matter jurisdiction.
2. Whether the complaint alleged facts establishing personal jurisdiction over Defendant in South Carolina.
3. Whether venue was proper in the District of South Carolina.
4. Whether the complaint stated a plausible, cognizable federal or state claim.
5. Whether the duplicative and frivolous nature of the complaint warranted dismissal under 28 U.S.C. § 1915(e)(2).

HOLDINGS

1. A federal court must determine sua sponte whether a valid basis for subject matter jurisdiction exists and must dismiss when the pleadings do not allege facts establishing federal-question or diversity jurisdiction.
2. A federal court in South Carolina may exercise personal jurisdiction over a nonresident defendant only when authorized by South Carolina's long-arm statute and consistent with Fourteenth Amendment due process, including minimum contacts with the forum.
3. A complaint must allege facts showing that venue is proper under 28 U.S.C. § 1391(b); where a plaintiff files in a district with no apparent connection to the parties or events, dismissal rather than transfer may be appropriate when the filing reflects an obvious error imposing unnecessary costs.
4. Conclusory allegations that a defendant conspired to deprive a plaintiff of due process, without supporting factual matter identifying the conduct, legal basis, or injury, do not state a plausible claim for relief.
5. An in forma pauperis complaint that is substantively duplicative of numerous other federal actions may be dismissed as frivolous or malicious under 28 U.S.C. § 1915(e)(2).

KEY QUOTATIONS

“However, even under this less stringent standard, the pro se pleading remains subject to summary dismissal.” (at 3)

“This action is subject to summary dismissal because Plaintiff has failed to alleged facts showing this Court has subject matter jurisdiction over the claims or personal jurisdiction over the parties and failed to state a claim for relief that is plausible.” (at 5)

“Because Plaintiff has filed his Complaint in at least thirty other district courts prior to filing the Complaint in this Court, the undersigned concludes that this action should be dismissed as duplicative of those other prior-filed actions.” (at 16)

FACTUAL BACKGROUND

Plaintiff filed a one-page complaint alleging that Defendant conspired with unnamed individuals to deprive him of due process and failed to dismiss state-court case number 100269/2023. He did not identify a federal statute or constitutional theory beyond the conclusory due-process allegation, and he alleged no facts concerning Defendant's citizenship, residence, contacts with South Carolina, or conduct in the state. The court took judicial notice that Plaintiff had filed substantively identical complaints against the same Defendant in at least thirty other federal district courts.

PROCEDURAL HISTORY

Plaintiff filed a single-page complaint alleging that Defendant conspired with others to deprive him of due process and failed to dismiss a state-court action. Plaintiff proceeded in forma pauperis. After screening the complaint under 28 U.S.C. § 1915(e)(2), the magistrate judge recommended dismissal without prejudice, without leave to amend, and without issuance or service of process. The parties were advised of their right to object to the recommendation.

DISPOSITION

other

CASES CITED

- Philips v. Pitt Cnty. Mem. Hosp., 572 F.3d 176, 180 (4th Cir. 2009)
- Colonial Penn Ins. Co. v. Coil, 887 F.2d 1236, 1239 (4th Cir. 1989)
- Erickson v. Pardus, 551 U.S. 89, 93-94 (2007)
- Barnett v. Hargett, 174 F.3d 1128, 1133 (10th Cir. 1999)
- Small v. Endicott, 998 F.2d 411, 417-18 (7th Cir. 1993)
- Beaudett v. City of Hampton, 775 F.2d 1274, 1278 (4th Cir. 1985)
- Weller v. Dep't of Soc. Servs., 901 F.2d 387, 391 (4th Cir. 1990)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 545, 555, 557, 570 (2007)
- Mallard v. U.S. Dist. Court, 490 U.S. 296, 307-08 (1989)
- Ross v. Baron, 493 F. App'x 405, 406 (4th Cir. 2012)
- In re Bulldog Trucking, Inc., 147 F.3d 347, 352 (4th Cir.)

- Pinkley, Inc. v. City of Frederick, 191 F.3d 394, 399 (4th Cir.)
- McNutt v. Gen. Motors Acceptance Corp., 298 U.S. 178, 189 (1936)
- Dracos v. Hellenic Lines, Ltd., 762 F.2d 348, 350 (4th Cir.)
- Prince v. Sears Holdings Corp., 848 F.3d 173, 177 (4th Cir.)
- Aetna Health Inc. v. Davila, 542 U.S. 200, 207 (2004)
- Owen Equip. & Erection Co. v. Kroger, 437 U.S. 365, 372-74 (1978)
- ESAB Grp., Inc. v. Centricut, Inc., 126 F.3d 617, 623 (4th Cir.)
- Christian Sci. Bd. of Dirs. of First Church of Christ, Scientist v. Nolan, 259 F.3d 209, 215 (4th Cir.)
- Bradley v. General Couns., C/A No. 3:07-cv-112, 2008 WL 713921, at *5 (N.D. W. Va. Mar. 14, 2008)
- International Shoe Co. v. State of Washington, Int'l Shoe Co. v. Washington, 326 U.S. 310, 316, 318 (1945)
- CFA Inst. v. Inst. of Chartered Fin. Analysts of India, 551 F.3d 285, 292 n.15 (4th Cir.)
- Helicopteros Nacionales de Colombia, S.A. v. Hall, 466 U.S. 408, 414 (1984)
- Jennings v. Adams, C/A No. 2:20-cv-00780, 2020 WL 7763339, at *1 (S.D. W. Va. Dec. 4, 2020)
- Emrit v. Trump, C/A No. 1:19-cv-18, 2019 WL 140107, at *4 (S.D. Ohio Jan. 9, 2019)
- Emrit v. Cent. Intel. Agency, C/A No. 3:22-cv-35, 2022 WL 1575999, at *10-11 (N.D. W. Va. Apr. 1, 2022)
- Franklin v. Desantis, C/A No. 4:22-cv-00388-AW-MAF, 2022 WL 17670473, at *5 (N.D. Fla. Nov. 14, 2022)
- Cottle v. Bell, 229 F.3d 1142, 2000 WL 1144623, at *1 (4th Cir. Aug. 14, 2000)
- Sifford v. Drew, C/A No. 8:17-cv-3210-RMG-JDA, 2018 WL 1155985, at *3 (D.S.C. Feb. 7, 2018)
- Paul v. de Holczer, C/A No. 3:15-cv-2178-CMC-PJG, 2015 WL 4545974, at *6 (D.S.C. July 28, 2015)
- Chihota v. Fulton, Friedman & Gullace, LLP, C/A No. WDQ-12-0975, 2012 WL 6086860, at *2 (D. Md. Dec. 5, 2012)
- Sensormatic Sec. Corp. v. Sensormatic Elecs. Corp., 452 F. Supp. 2d 621, 626 (D. Md. 2006)
- Colorado River Water Conservation Dist. v. United States, 424 U.S. 800, 817 (1976)
- Diamond v. Colonial Life & Accident Insurance Co., 416 F.3d 310 (4th Cir.)
- Thomas v. Arn, 474 U.S. 140 (1985)
- Wright v. Collins, 766 F.2d 841 (4th Cir.)
- United States v. Schronce, 727 F.2d 91 (4th Cir.)