

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Sara Roe, et al. v. Penns Grove-Carney’s Point Regional School District, et al.

Roe v. Penns Grove-Carney’s Point Regional School District · No. Civil No. 24-10827 (CPO/EAP) · Decided February 10, 2026

SUMMARY

The United States District Court for the District of New Jersey grants pro se Defendant Jackie Doe’s motion for appointment of pro bono counsel under 28 U.S.C. § 1915(e)(1). Applying the Tabron factors, the court finds that Doe’s limited English proficiency, the complexity of claims including a novel Violence Against Women Act provision, anticipated discovery, credibility issues, potential expert testimony, and financial circumstances support appointment. The court directs the Clerk to select an attorney from the Civil Pro Bono Panel but cautions that acceptance by counsel is not guaranteed.

CASE DETAILS

|                       |                                                                                                                                                                                                |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of New Jersey                                                                                                                                    |
| WRITING FOR THE COURT | Elizabeth A. Pascal                                                                                                                                                                            |
| JURISDICTION          | United States District Court for the District of New Jersey                                                                                                                                    |
| DECIDED               | February 10, 2026                                                                                                                                                                              |
| DOCKET                | Civil No. 24-10827 (CPO/EAP)                                                                                                                                                                   |
| DISPOSITION           | other                                                                                                                                                                                          |
| PROCEDURAL POSTURE    | Pro se defendant Jackie Doe moved for appointment of pro bono counsel in a civil action. The court granted the motion after applying the Third Circuit’s Tabron factors.                       |
| STANDARD OF REVIEW    | The court exercised broad discretion under 28 U.S.C. § 1915(e)(1), first determining whether the defense had arguable merit in fact and law and then weighing the nonexclusive Tabron factors. |
| PRECEDENTIAL VALUE    | unpublished district court memorandum order; nonprecedential                                                                                                                                   |

TOPICS

- civil procedure
- civil rights
- statutory interpretation

## PRACTICE AREAS

civil procedure

civil rights

## QUESTIONS PRESENTED

1. Whether Jackie Doe’s asserted defense had sufficient arguable merit in fact and law to satisfy the threshold requirement for appointment of counsel.
2. Whether the Tabron factors supported appointment of pro bono counsel for an indigent, pro se defendant.

## HOLDINGS

1. Jackie Doe satisfied the threshold requirement because her denials and assertion that she was at work and had entrusted her child to school supervision could potentially provide a complete defense to the claims against her.
2. Appointment of pro bono counsel was warranted because five of the six applicable Tabron factors weighed heavily in favor of appointment and the sixth weighed slightly in favor.

## KEY QUOTATIONS

*“For the following reasons, Defendant Jackie Doe’s Motion is GRANTED.”*

*“Because five of the six Tabron factors weigh heavily in favor of pro bono counsel and one of the six leans slightly in favor, the Court finds that Ms. Doe has sufficiently established a need for the appointment of counsel.”*

## FACTUAL BACKGROUND

Plaintiffs allege that minor Plaintiff Christine Roe was sexually abused and recorded by other students, that the recording was disseminated online, and that members of the Roe family were subsequently subjected to harassment and emotional distress. They allege that Jackie Doe, the mother of Liam Doe, helped arrange equipment used to record the incident and failed to supervise her son. Jackie Doe denied wrongdoing and asserted that she was at work and had entrusted her child’s care to the school. She was proceeding pro se, primarily spoke Spanish, had limited English comprehension, lacked legal experience, and had limited financial resources.

## PROCEDURAL HISTORY

Plaintiffs initiated the action on November 29, 2024, and filed a First Amended Complaint on February 6, 2026. Defendant Jackie Doe moved for appointment of pro bono counsel on October 30, 2025, and separately sought in forma pauperis status. After the District Judge adopted a recommendation granting in forma pauperis status, the Magistrate Judge considered and granted the motion for counsel.

## DISPOSITION

other

## CASES CITED

- Parham v. Johnson, 126 F.3d 454, 456-61 (3d Cir. 1997)
- Tabron v. Grace, 6 F.3d 147, 153, 155-58 (3d Cir. 1993)
- Montgomery v. Pinchak, 294 F.3d 492, 498-501 (3d Cir. 2002)
- Gordon v. Gonzalez, 232 F. App'x 153, 157 (3d Cir. 2007)
- Hernandez v. Montoya, No. 16-4592, 2018 WL 4676042, at \*3 (D.N.J. Sept. 27, 2018)
- Valdez v. Flax, No. 17-3848, 2018 WL 276906, at \*4 (D.N.J. Jan. 3, 2018)
- Perez v. Hauck, No. 07-5685, 2008 WL 797054, at \*4 (D.N.J. Mar. 20, 2008)
- Tille v. Kaplan, No. 25-14903, 2025 WL 2779183, at \*3 (D.N.J. Sept. 30, 2025)
- Nichols v. Knight, No. 22-5808, 2023 WL 8751265, at \*3 (D.N.J. Dec. 18, 2023)
- Bellazzin v. L'Oreal USA, No. 24-6278, 2024 WL 3409446, at \*3 (D.N.J. July 14, 2024)

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