

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Christopher Fountain v. A-Okay Enterprises, LLC, et al.

No. 26-1037-JWB (D. Kan. May 11, 2026) · No. 26-1037-JWB · Decided May 11, 2026

SUMMARY

The United States District Court for the District of Kansas dismissed Christopher Fountain’s complaint for failure to state a claim. The court held that the cited criminal and jurisdictional statutes did not provide private causes of action and that the RICO claim failed for lack of a pattern of racketeering activity and a distinct RICO enterprise. The court declined supplemental jurisdiction over the state-law claims and dismissed them without prejudice.

CASE DETAILS

COURT	United States District Court for the District of Kansas
WRITING FOR THE COURT	John W. Broomes
JURISDICTION	United States District Court for the District of Kansas
DECIDED	May 11, 2026
DOCKET	26-1037-JWB
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's report and recommendation recommending dismissal for failure to state a claim. Although Plaintiff did not file an objection because the mailed report was returned as unclaimed, the district court reviewed the claims on their merits under Rule 12(b)(6) and dismissed the complaint.
STANDARD OF REVIEW	For a dispositive report and recommendation, a district judge must review de novo any portion properly objected to under Federal Rule of Civil Procedure 72(b)(3); absent a proper objection, the court may review the recommendation under any standard it deems appropriate. On a Rule 12(b)(6) motion, the complaint must contain sufficient factual allegations to state a plausible claim for relief. Well-pleaded allegations are accepted as true and construed favorably to the plaintiff, but conclusory allegations are disregarded. Pro se filings are liberally construed, without adding factual allegations or constructing a legal theory for the litigant.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court memorandum and order

PARTIES

Christopher Fountain v. A-Okay Enterprises, LLC, Bruce Harris

TOPICS

motions to dismiss

pleadings

civil procedure

commercial litigation

consumer protection

PRACTICE AREAS

civil procedure

commercial litigation

consumer protection

remedies

QUESTIONS PRESENTED

1. Whether the complaint stated claims under 18 U.S.C. §§ 894, 1956, and 2314–2315.
2. Whether 28 U.S.C. § 1337 independently created a private cause of action.
3. Whether Plaintiff adequately pleaded a civil RICO claim by alleging a pattern of racketeering activity and a RICO enterprise distinct from the RICO person.
4. Whether the court should exercise supplemental jurisdiction over the remaining state-law claims after dismissing all federal claims.
5. What standard of review applied to the unobjected-to report and recommendation.

HOLDINGS

1. When a party fails to properly object to a dispositive report and recommendation, the district court may review the recommendation under any standard it deems appropriate rather than being required to conduct de novo review.
2. 18 U.S.C. §§ 894, 1956, and 2314–2315 do not provide individuals with private civil causes of action, and 28 U.S.C. § 1337 is a jurisdictional statute that does not independently create a cause of action.
3. Plaintiff failed to state a civil RICO claim because he did not allege a pattern of racketeering activity and did not adequately allege a RICO enterprise distinct from the RICO person.
4. After dismissing all federal claims, the court declined to exercise supplemental jurisdiction over Plaintiff's state-law claims and dismissed them without prejudice.

KEY QUOTATIONS

“To withstand a motion to dismiss under Rule 12(b)(6), the complaint must contain enough allegations of fact to state a claim for relief that is plausible on its face.” (III)

“Because a business entity acting through its agents cannot be both the RICO person and the RICO enterprise, Plaintiff’s RICO claim also fails on this basis.” (III)

“THEREFORE, Plaintiff’s complaint (Doc. 1) is DISMISSED for failure to state a claim. This case is closed.” (IV)

FACTUAL BACKGROUND

Christopher Fountain alleged that A-Okay Enterprises, LLC and its owner, Bruce Harris, acquired more than \$20,000 worth of his gold jewelry from a bail bondsman for approximately \$4,000 after allegedly devaluing the jewelry. He asserted claims under RICO, several federal criminal statutes, and state law, seeking compensatory, punitive, treble, and other relief. The complaint also included numerous unrelated allegations involving law enforcement, identity theft, road rage, toxic mold, and other asserted misconduct.

PROCEDURAL HISTORY

Plaintiff filed the action on February 12, 2026, asserting federal claims under RICO and several federal criminal and jurisdictional statutes, together with state-law claims. Magistrate Judge Brooks Severson recommended dismissal. The district court found that Plaintiff had not properly objected, independently evaluated the claims, dismissed all federal claims for failure to state a claim, declined supplemental jurisdiction over the state-law claims, and closed the case.

DISPOSITION

dismissed

CASES CITED

- Williams v. United States, No. 19-2476-JAR, 2019 WL 6167514, at *1 (D. Kan. Nov. 20, 2019)
- United States v. One Parcel of Real Prop., 73 F.3d 1057, 1060 (10th Cir. 1996)
- Robbins v. Oklahoma, 519 F.3d 1242, 1247 (10th Cir. 2008)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Albers v. Bd. of Cnty. Comm'rs of Jefferson Cnty., Colo., 771 F.3d 697, 700 (10th Cir. 2014)
- Shero v. City of Grove, Okla., 510 F.3d 1196, 1200 (10th Cir. 2007)
- Yang v. Archuleta, 525 F.3d 925, 927 n.1 (10th Cir. 2008)
- Andrews v. Heaton, 483 F.3d 1070, 1076 (10th Cir. 2007)
- Robert L. Kroenlein Trust ex rel. Alden v. Kirchhefer, 764 F.3d 1268, 1274 (10th Cir. 2014)
- Sedima, S.P.R.L. v. Imrex Co., 473 U.S. 479, 496 (1985)
- George v. Urban Settlement Servs., 833 F.3d 1242, 1249 (10th Cir. 2016)
- Brannon v. Boatmen's First Nat'l Bank, 153 F.3d 1144, 1146 (10th Cir. 1998)
- Koch v. City of Del City, 660 F.3d 1228, 1248 (10th Cir. 2011)