

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
DAKOTA, SOUTHERN DIVISION

Charles Ray Johnson v. Norman Rinehart

No. 4:25-CV-04123-ECS (D.S.D. Jan. 2, 2026) · No. 4:25-CV-04123-ECS · Decided January 2, 2026

SUMMARY

The United States District Court for the District of South Dakota granted Charles Ray Johnson leave to proceed in forma pauperis but dismissed without prejudice his claims under the Americans with Disabilities Act and Fair Housing Act. The court held that the complaint lacked sufficient factual allegations supporting disability discrimination, race discrimination, or retaliation. The court also denied Johnson’s motion to appoint counsel as moot.

CASE DETAILS

COURT	United States District Court for the District of South Dakota, Southern Division
WRITING FOR THE COURT	Eric C. Schulte
JURISDICTION	United States District Court for the District of South Dakota, Southern Division
DECIDED	January 2, 2026
DOCKET	4:25-CV-04123-ECS
DISPOSITION	other
PROCEDURAL POSTURE	Pro se plaintiff filed an action alleging ADA discrimination, race discrimination, retaliation, and housing discrimination. The district court granted leave to proceed in forma pauperis and screened the complaint under 28 U.S.C. § 1915(e)(2)(B), dismissing the ADA and FHA claims without prejudice and denying the motion to appoint counsel as moot.
STANDARD OF REVIEW	On screening under 28 U.S.C. § 1915(e)(2)(B), the court accepted well-pleaded factual allegations as true, liberally construed the pro se complaint, and determined whether the complaint was frivolous, malicious, failed to state a claim, or sought relief from an immune defendant.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court opinion

TOPICS

civil procedure

ada / disability

reasonable accommodation

civil rights

PRACTICE AREAS

civil procedure

civil rights

fair housing

disability discrimination

QUESTIONS PRESENTED

1. Whether Johnson was entitled to proceed in forma pauperis under 28 U.S.C. § 1915(a)(1).
2. Whether the complaint stated a cognizable ADA claim against the privately named individual defendant.
3. Whether the complaint alleged sufficient facts to state FHA disparate-treatment, disability-accommodation, or retaliation claims.
4. Whether appointment of counsel was appropriate after dismissal of all claims.

HOLDINGS

1. Johnson's financial affidavit established that he had insufficient funds to pay the filing fee, so the court granted leave to proceed in forma pauperis.
2. The court was required to dismiss claims that were frivolous or malicious, failed to state a claim, or sought monetary relief from an immune defendant.
3. Johnson's Title II ADA claims were not cognizable against Rinehart because he named only a private individual and did not identify a public entity.
4. Johnson failed to state an ADA claim because he alleged no facts establishing that he had a disability within the meaning of the ADA.
5. Johnson failed to state FHA disparate-treatment claims based on race or disability because he alleged no specific facts showing less favorable treatment because of a protected characteristic and did not allege facts establishing a disability.
6. Johnson failed to state an FHA disability-accommodation claim because he did not allege facts establishing that he was disabled within the meaning of the FHA.
7. Johnson failed to state an FHA retaliation claim because he did not allege facts showing protected activity, the defendant's knowledge, retaliatory motive, or a causal connection between protected activity and adverse action.

KEY QUOTATIONS

“A complaint “does not need detailed factual allegations . . . [but] requires more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do[.]”” (Section II.B)

“Therefore, Johnson’s retaliation claims under the FHA are dismissed without prejudice for failure to state a claim upon which relief may be granted under 28 U.S.C. § 1915(e)(2)(B)(ii).” (Section II.C.2.b)

FACTUAL BACKGROUND

Johnson alleged that he experienced race and disability discrimination, retaliation, and housing discrimination after filing an unspecified complaint. He asserted that Rinehart banned him from the property and prevented him from seeing his family while the property was being rented. Johnson offered no factual details identifying his disability, explaining the alleged race discrimination, describing the complaint that allegedly triggered retaliation, or showing that Rinehart knew of protected activity.

PROCEDURAL HISTORY

Charles Ray Johnson filed a pro se complaint against Norman Rinehart, together with motions to proceed in forma pauperis and to appoint counsel. The court found Johnson financially unable to pay the filing fee, granted in forma pauperis status, and screened the complaint. The court dismissed all asserted ADA and FHA claims without prejudice for failure to state a claim and denied appointment of counsel as moot.

DISPOSITION

other

CASES CITED

- Lee v. McDonald's Corp., 231 F.3d 456, 459 (8th Cir. 2000)
- Williams v. McKenzie, 834 F.2d 152, 154 (8th Cir. 1987)
- Cross v. Gen. Motors Corp., 721 F.2d 1152, 1157 (8th Cir. 1983)
- Monroe v. Yankton Sioux Hous. Auth., No. 4:25-CV-04113-ECS, 2025 WL 1795824, at *2 (D.S.D. June 30, 2025)
- Clay v. Purkett, No. 06-CV-1859, 2007 WL 107758, at *1 (E.D. Mo. Jan. 9, 2007)
- Martin-Trigona v. Stewart, 691 F.2d 856, 857 (8th Cir. 1982) (per curiam)
- Key v. Does, 217 F. Supp. 3d 1006, 1007 (E.D. Ark. 2016)
- Est. of Rosenberg v. Crandell, 56 F.3d 35, 36 (8th Cir. 1995)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007) (per curiam)
- Bediako v. Stein Mart, Inc., 354 F.3d 835, 839 (8th Cir. 2004)
- Martin v. Sargent, 780 F.2d 1334, 1337 (8th Cir. 1985)
- Ellis v. City of Minneapolis, 518 F. App'x 502, 504 (8th Cir. 2013) (per curiam)
- Davis v. Hall, 992 F.2d 151, 152 (8th Cir. 1993) (per curiam)
- Parker v. Porter, 221 F. App'x 481, 482 (8th Cir. 2007)
- Williams v. Willits, 853 F.2d 586, 588 (8th Cir. 1988)
- Bramlet v. Wilson, 495 F.2d 714, 716 (8th Cir. 1974)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555-56, 553-63 (2007)
- Beavers v. Lockhart, 755 F.2d 657, 663 (8th Cir. 1985)
- Stone v. Harry, 364 F.3d 912, 914-15 (8th Cir. 2004)
- Maday v. Dooley, 2018 WL 4334071, at *3 (D.S.D. May 30, 2018)
- Alsbrook v. City of Maumelle, 184 F.3d 999, 1005 n.8 (8th Cir. 1999) (en banc)

- Randolph v. Rodgers, 170 F.3d 850, 858 (8th Cir. 1999)
- Hillesheim v. Myron's Cards & Gifts, Inc., 897 F.3d 953, 956 (8th Cir. 2018)
- Fair Hous. of the Dakotas, Inc. v. Goldmark Prop. Mgmt., Inc., 778 F. Supp. 2d 1028, 1037 (D.N.D. 2011)
- Meraki Recovery Hous., LLC v. City of Coon Rapids, 2021 WL 5567898, at *4, *4 n.8 (D. Minn. Nov. 29, 2021)
- One Love Hous., LLC v. City of Anoka, 93 F.4th 424, 429 (8th Cir. 2024)
- Gallagher v. Magner, 619 F.3d 823, 831, 833, 838 (8th Cir. 2010)
- Int'l Bhd. of Teamsters v. United States, 431 U.S. 324, 335 n.15 (1977)
- Reg'l Econ. Cmty. Action Program, Inc. v. City of Middletown, 294 F.3d 35, 54 (2d Cir. 2002)
- Lee v. Omaha Hous. Auth. Found. Inc., 2025 WL 588030, at *4 (D. Neb. Feb. 24, 2025)
- Hunter v. Anderson, 2013 WL 3974342, at *11 (D. Minn. July 31, 2013)
- Favors v. Coughlin, 877 F.2d 219, 220 (2d Cir. 1989) (per curiam)