

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
GEORGIA, MACON DIVISION

Marlon M. Ellis v. Stevens, et al.

Ellis v. Stevens, No. 5:25-cv-00504-MTT-CHW (M.D. Ga. Mar. 6, 2026) · No. 5:25-cv-00504-MTT-CHW ·
Decided March 6, 2026

SUMMARY

The United States District Court for the Middle District of Georgia grants Marlon M. Ellis leave to proceed in forma pauperis but recommends dismissal without prejudice of his 42 U.S.C. § 1983 complaint under 28 U.S.C. § 1915(e)(2)(B)(ii). The court concludes that a three-day delay in delivering legal mail did not cause an actual injury because Ellis's response to an Eleventh Circuit jurisdictional question was timely. The order also sets forth the prisoner's filing-fee payment obligations and the procedure for filing objections.

CASE DETAILS

COURT	United States District Court for the Middle District of Georgia, Macon Division
WRITING FOR THE COURT	Charles H. Weigle
JURISDICTION	United States District Court for the Middle District of Georgia, Macon Division
DECIDED	March 6, 2026
DOCKET	5:25-cv-00504-MTT-CHW
DISPOSITION	other
PROCEDURAL POSTURE	Prisoner filed a pro se civil-rights complaint under 42 U.S.C. § 1983 and moved to proceed in forma pauperis. A magistrate judge granted IFP status and, on preliminary screening, recommended dismissal without prejudice for failure to state a claim.
STANDARD OF REVIEW	Under 28 U.S.C. §§ 1915A and 1915(e), the court screens prisoner and IFP complaints and dismisses those that are frivolous, malicious, fail to state a claim, or seek monetary relief from an immune defendant. A complaint must contain sufficient factual matter to state a plausible claim for relief.
PRECEDENTIAL VALUE	Unknown; magistrate judge's order and recommendation, with no reporter citation

PARTIES

Marlon M. Ellis v. Stevens, et al.

TOPICS

prisoners rights

section 1983

civil rights

civil procedure

appellate procedure

PRACTICE AREAS

prisoner civil rights

federal civil procedure

access to courts

QUESTIONS PRESENTED

1. Whether Ellis stated a claim for denial of access to the courts based on a three-day delay in receiving legal mail.
2. Whether the complaint was subject to dismissal on preliminary screening under 28 U.S.C. §§ 1915A and 1915(e)(2)(B)(ii).

HOLDINGS

1. A prisoner must allege that he was denied access to the courts and that the denial caused an actual injury related to prospective or existing nonfrivolous litigation. Ellis failed to state such a claim because the three-day mail delay did not cause an actual injury; his appellate response was timely.
2. A prisoner complaint must be dismissed at preliminary screening when it fails to state a plausible claim for relief, and Ellis's complaint failed to state a claim for denial of access to the courts.

KEY QUOTATIONS

“Because Plaintiff has not alleged any facts showing an injury, he has not stated a claim for denial of access to the courts.” (6)

FACTUAL BACKGROUND

Ellis, an inmate at Wilcox State Prison, was told on August 4, 2025, that he had legal mail but could not retrieve it because his dormitory was under quarantine. He alleged that Officer Stevens delayed delivery of the mail until August 7 and that Warden of Administration Jones allowed the delay. The mail concerned a jurisdictional question issued by the Eleventh Circuit, and Ellis's response was filed or deemed filed within the applicable deadline.

PROCEDURAL HISTORY

Ellis alleged that prison officials delayed delivery of legal mail for three days while his dormitory was under quarantine. He claimed the delay interfered with a response required by the Eleventh Circuit. The court concluded that the response was timely and that Ellis had not alleged an actual injury, granted leave to proceed in forma pauperis, and recommended dismissal under the Prison Litigation Reform Act. The recommendation was subject to objections to the district judge.

DISPOSITION

other

CASES CITED

- Carmichael v. United States, 966 F.3d 1250, 1258 (11th Cir. 2020)
- Miller v. Donald, 541 F.3d 1091, 1100 (11th Cir. 2008)
- Daker v. Ward, 999 F.3d 1300, 1308, 1310 (11th Cir. 2021)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555-56, 570 (2007)
- Hale v. Tallapoosa Cnty., 50 F.3d 1579, 1582 (11th Cir. 1995)
- Bingham v. Thomas, 654 F.3d 1171, 1176-77 (11th Cir. 2011)
- Wade v. McDade, 106 F.4th 1251, 1255 (11th Cir. 2024) (en banc)
- Lewis v. Casey, 518 U.S. 343, 349 (1996)
- Wilson v. Blankenship, 162 F.3d 1284, 1290 & n.10 (11th Cir. 1998)
- Ellis v. Wilcox, Appeal No. 25-12271 (11th Cir.)

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