

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO, WESTERN DIVISION AT DAYTON

Amanda Wolfe v. Miami East Local School District Board of
Education

Wolfe · No. 3:25-cv-441 · Decided March 11, 2026

SUMMARY

The United States District Court for the Southern District of Ohio grants Amanda Wolfe leave to proceed in forma pauperis and conducts an initial review under 28 U.S.C. § 1915(e)(2). The magistrate judge recommends that Wolfe’s individual claims under Title II of the ADA and Section 504 of the Rehabilitation Act proceed, while dismissing claims brought on behalf of her minor son, as well as the Ohio negligence and 42 U.S.C. § 1983 claims. The document also provides notice of the fourteen-day period for filing objections.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio, Western Division at Dayton
WRITING FOR THE COURT	Peter B. Silvain, Jr.
JURISDICTION	United States District Court for the Southern District of Ohio, Western Division at Dayton
DECIDED	March 11, 2026
DOCKET	3:25-cv-441
DISPOSITION	other
PROCEDURAL POSTURE	Pro se plaintiff moved for leave to proceed in forma pauperis. The magistrate judge conducted sua sponte screening of the complaint under 28 U.S.C. § 1915(e)(2) and issued an order granting in forma pauperis status and a report and recommendation concerning which claims should proceed or be dismissed.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2), the court screens an in forma pauperis complaint sua sponte and may dismiss claims that are frivolous or malicious, fail to state a claim upon which relief may be granted, or seek monetary relief from an immune defendant. Failure-to-state-a-claim review applies the Rule 12(b)(6) plausibility standard, accepting factual allegations as true and liberally construing a pro se complaint.

PRECEDENTIAL VALUE	nonprecedential
PARTIES	Amanda Wolfe v. Miami East Local School District Board of Education

TOPICS

ada / disability pleadings civil procedure section 1983

PRACTICE AREAS

disability discrimination education law civil procedure civil rights

QUESTIONS PRESENTED

1. Whether Wolfe could proceed pro se on claims asserted on behalf of her minor son.
2. Whether claims under Ohio negligence law and 42 U.S.C. § 1983 should be dismissed when they appeared only on the civil cover sheet and were not pleaded in the complaint.
3. Whether Wolfe stated individual claims under Title II of the ADA and Section 504 of the Rehabilitation Act based on injuries allegedly suffered because of her association with her disabled son.
4. Whether Wolfe should be granted leave to proceed in forma pauperis.

HOLDINGS

1. A pro se plaintiff may not appear on behalf of a minor child because the child's cause of action belongs to the child; the claims Wolfe asserted on behalf of K.W. should therefore be dismissed.
2. The Ohio negligence and § 1983 claims should be dismissed for failure to state a claim because they were referenced only on the civil cover sheet and were not alleged in the complaint.
3. Wolfe should be permitted to proceed on her individual claims under Title II of the ADA and Section 504 of the Rehabilitation Act because non-disabled individuals may have claims for injuries suffered because of their association with a disabled person.
4. Wolfe's motion for leave to proceed in forma pauperis should be granted.

KEY QUOTATIONS

“Under Title II of the ADA and Section 504 of the Rehabilitation Act, non-disabled individuals have a cause of action ‘when they suffer injuries because of their association with a disabled person.’”

“To properly state a claim upon which relief may be granted, a plaintiff must satisfy the basic federal pleading requirements set forth in Federal Rule of Civil Procedure 8(a).”

“A pleading that offers ‘labels and conclusions’ or a ‘formulaic recitation of the elements of a cause of action’ is insufficient.”

FACTUAL BACKGROUND

Wolfe alleged that the school district failed to evaluate her son K.W. for learning disabilities, provided limited speech services, denied reading and writing services, and failed to communicate the results of a dyslexia screening. She also alleged that school staff made degrading statements about K.W. Wolfe claimed that these events forced her to withdraw K.W., obtain private services, relocate outside the district, and incur financial costs, lost income, and uncompensated labor.

PROCEDURAL HISTORY

Wolfe filed a complaint alleging disability-related educational injuries involving her minor son and asserted claims under Title II of the ADA and Section 504 of the Rehabilitation Act. She also referenced Ohio negligence and 42 U.S.C. § 1983 claims only on the civil cover sheet. The magistrate judge granted leave to proceed in forma pauperis, recommended dismissal of claims brought on behalf of the minor, the negligence claim, and the § 1983 claim, and recommended that Wolfe's individual ADA and Rehabilitation Act claims proceed.

DISPOSITION

other

CASES CITED

- Neitzke v. Williams, 490 U.S. 319, 324 (1989)
- Hill v. Lappin, 630 F.3d 468, 470-71 (6th Cir. 2010)
- 16630 Southfield Ltd. v. Flagstar Bank, F.S.B., 727 F.3d 502, 503-04 (6th Cir. 2013)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 557, 570 (2007)
- Donald v. Marshall, No. 84-3231, 1985 U.S. App. LEXIS 31637, at *2 (6th Cir. Apr. 5, 1985)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007) (per curiam)
- Wells v. Brown, 891 F.2d 591, 594 (6th Cir. 1989)
- Shepherd v. Wellman, 313 F.3d 963, 970 (6th Cir. 2002)
- Parker v. W. Carroll Special Sch. Dist., No. 21-5700, 2022 U.S. App. LEXIS 6572, at *6 (6th Cir. Mar. 14, 2022)
- McGore v. Wrigglesworth, 114 F.3d 601 (6th Cir. 1997)
- Thomas v. Arn, 474 U.S. 140 (1985)
- United States v. Walters, 638 F.2d 947, 949-50 (6th Cir. 1981)

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