

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WASHINGTON

Matthew T. Ferguson v. United States Department of Veterans Affairs

No. 2:25-CV-00455-RLP (E.D. Wash. Dec. 4, 2025) · No. 2:25-CV-00455-RLP · Decided December 4, 2025

SUMMARY

The United States District Court for the Eastern District of Washington dismissed Matthew T. Ferguson’s amended complaint against the Department of Veterans Affairs and officials sued in their official capacities. The court held that the complaint failed to identify a waiver of the United States’ sovereign immunity and therefore failed to state a claim under 28 U.S.C. § 1915(e)(2). The court dismissed the action without prejudice, denied reconsideration of the preliminary-injunction ruling, and certified that an appeal would not be taken in good faith.

CASE DETAILS

COURT	United States District Court for the Eastern District of Washington
WRITING FOR THE COURT	Rebecca L. Pennell
JURISDICTION	United States District Court for the Eastern District of Washington
DECIDED	December 4, 2025
DOCKET	2:25-CV-00455-RLP
DISPOSITION	dismissed
PROCEDURAL POSTURE	The court screened a pro se plaintiff's amended complaint under 28 U.S.C. § 1915(e)(2) after granting leave to proceed in forma pauperis. The court also considered the plaintiff's motion for reconsideration of an order denying a preliminary injunction as moot.
STANDARD OF REVIEW	Mandatory screening under 28 U.S.C. § 1915(e)(2), including dismissal of an in forma pauperis complaint that is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant. The court applied the Rule 8 and plausibility standards for evaluating whether the complaint stated a claim.
PRECEDENTIAL VALUE	District court order; precedential status not specified in the source metadata.

PARTIES

Matthew T. Ferguson v. United States Department of Veterans Affairs,
Doug Collins, Secretary of Veterans Affairs, Robert J. Fischer,
Director of the Spokane Veterans Affairs Medical Center

TOPICS

subject matter jurisdiction

motions to dismiss

motion for reconsideration

injunctions

civil procedure

PRACTICE AREAS

civil procedure

administrative law

sovereign immunity

federal jurisdiction

QUESTIONS PRESENTED

1. Whether the amended complaint stated a claim when it failed to allege a waiver of the United States' sovereign immunity.
2. Whether the court should grant reconsideration of its prior order denying a preliminary injunction as moot.
3. Whether a further opportunity to amend was required.

HOLDINGS

1. The amended complaint failed to state a claim because it did not allege a waiver of the United States' sovereign immunity, and the court therefore lacked subject matter jurisdiction over the claims against the United States and its agencies.
2. Ferguson was not entitled to a preliminary injunction, and his motion for reconsideration was denied.
3. A third opportunity to amend was not required because the repeated failure to allege a waiver of sovereign immunity made further amendment futile.

KEY QUOTATIONS

“section 1915(e) not only permits, but requires a district court to dismiss an in forma pauperis complaint that fails to state a claim.” (at 1)

“The Court therefore concludes that the United States has not waived its sovereign immunity to Mr. Ferguson’s claims, and that providing Mr. Ferguson a third attempt to state a claim would be futile.” (at 2)

FACTUAL BACKGROUND

Ferguson alleged that he was denied medical treatment at the Spokane Veterans Affairs Medical Center. He sued the Department of Veterans Affairs, the Secretary of Veterans Affairs, and the Spokane VAMC Director, with the individual defendants sued in their official capacities. His amended complaint again failed to allege that the United States had waived sovereign immunity.

PROCEDURAL HISTORY

Ferguson originally sued over medical treatment allegedly denied at the Spokane Veterans Affairs Medical Center. The court previously ordered him to amend or voluntarily dismiss because he had not alleged a waiver of the United States' sovereign immunity. After Ferguson filed an amended complaint that repeated the same deficiency, and moved for reconsideration regarding the docketing of his original complaint, the court dismissed the action without prejudice, denied reconsideration, certified that an appeal would not be taken in good faith, and directed the clerk to close the file.

DISPOSITION

dismissed

CASES CITED

- Coleman v. Tollefson, 575 U.S. 532, 537-38 (2015)
- Lopez v. Smith, 203 F.3d 1122, 1127, 1130-31 (9th Cir. 2000) (en banc)
- Neitzke v. Williams, 490 U.S. 319, 325, 327 (1989)
- Franklin v. Murphy, 745 F.2d 1221, 1227-28 (9th Cir. 1984)
- Jackson v. Arizona, 885 F.2d 639, 640 (9th Cir. 1989)
- Ashcroft v. Iqbal, 556 U.S. 662, 664 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Balser v. Department of Justice, Office of the U.S. Trustee, 327 F.3d 903, 907 (9th Cir. 2003)
- Solida v. McKelvey, 820 F.3d 1090, 1095 (9th Cir. 2016)
- California v. Azar, 911 F.3d 558, 575 (9th Cir. 2018)
- Cervantes v. Countrywide Home Loans, Inc., 656 F.3d 1034, 1041 (9th Cir. 2011)