

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
ARKANSAS, CENTRAL DIVISION

Rashaun Ladale Williams v. Does, et al.

Williams v. Does · No. 4:23-cv-00632-KGB · Decided January 27, 2026

SUMMARY

The United States District Court for the Eastern District of Arkansas dismissed without prejudice an inmate’s amended complaint asserting claims under 42 U.S.C. § 1983 against former defense attorneys and unidentified defendants. The court held that the attorneys were not state actors, the allegations did not sufficiently implicate the Sixth Amendment, and the Doe defendants were not supported by factual allegations. The court declined supplemental jurisdiction over the plaintiff’s state-law breach of contract and legal malpractice claims.

CASE DETAILS

COURT	United States District Court for the Eastern District of Arkansas, Central Division
WRITING FOR THE COURT	Kristine G. Baker
JURISDICTION	United States District Court for the Eastern District of Arkansas, Central Division
DECIDED	January 27, 2026
DOCKET	4:23-cv-00632-KGB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se prisoner civil-rights action under 42 U.S.C. § 1983. After screening the original complaint and granting leave to amend, the court screened the amended complaint and dismissed the federal claims without prejudice, declined supplemental jurisdiction over the state-law claims, and dismissed the amended complaint without prejudice.
STANDARD OF REVIEW	Screening under 28 U.S.C. §§ 1915A and 1915(e)(2)(B); the court liberally construed the pro se pleading, accepted factual allegations unless clearly baseless, and evaluated whether the complaint alleged enough facts to state a plausible claim for relief.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential

PARTIES

Rashaun Ladale Williams v. Does, et al., John W. Hall, Greg Bryant,
Joan Does

TOPICS

section 1983 prisoners rights pleadings civil procedure government liability

PRACTICE AREAS

civil rights prisoner litigation federal jurisdiction legal malpractice contracts

QUESTIONS PRESENTED

1. Whether the amended complaint stated a claim under 42 U.S.C. § 1983 against the Doe defendants when it alleged no specific facts concerning them.
2. Whether retained private criminal-defense attorneys may be liable under § 1983 absent allegations that they acted under color of state law or jointly with a state actor.
3. Whether the alleged attorney conduct implicated Williams's Sixth Amendment right to effective assistance of counsel absent allegations that it affected the reliability of the criminal proceedings.
4. Whether the court should exercise supplemental jurisdiction over the state-law breach-of-contract and legal-malpractice claims after dismissing all federal claims.

HOLDINGS

1. The claims against the Doe defendants fail because the amended complaint contains no factual allegations against them and therefore does not state a plausible claim for relief.
2. Retained private attorneys are not state actors and cannot be held liable under § 1983 absent facts showing that they acted under color of state law, including through willful joint activity with the State.
3. The amended complaint does not state a Sixth Amendment ineffective-assistance claim because it does not allege how the attorneys' alleged inaction affected the reliability of Williams's criminal proceedings.
4. The court declined to exercise supplemental jurisdiction over Williams's state-law breach-of-contract and legal-malpractice claims after dismissing all federal claims.

KEY QUOTATIONS

“To state a claim under 42 U.S.C. § 1983, a plaintiff must allege facts showing that a defendant deprived him of a federally-protected right while acting under color of state law.”

“Even liberally construing Mr. Williams’s amended complaint, Mr. Hall and Mr. Bryant cannot be held liable under § 1983.”

FACTUAL BACKGROUND

Williams, a federal inmate, pleaded guilty to federal drug-distribution offenses and received a 240-month sentence. He alleged that retained attorneys John W. Hall and Greg Bryant received retainers of \$12,500 and

\$15,000, respectively, but did nothing to defend his criminal case. He characterized the attorneys' conduct as breach of contract, legal malpractice, and a violation of his Sixth Amendment right to effective counsel, but identified no facts showing that the alleged omissions affected the reliability of his criminal proceedings or that the attorneys acted under color of state law.

PROCEDURAL HISTORY

Williams filed a pro se complaint concerning the conduct of retained criminal-defense attorneys and was granted leave to proceed in forma pauperis. The court previously found that the complaint failed to state a claim, explained the pleading deficiencies, and allowed amendment. Williams filed an amended complaint naming his attorneys and Doe defendants, asserting § 1983, Sixth Amendment, breach-of-contract, and legal-malpractice theories. The court dismissed the federal claims without prejudice and declined to exercise supplemental jurisdiction over the state-law claims.

DISPOSITION

dismissed

CASES CITED

- United States v. Williams, Case No. 4:20-cr-00348-BRW (E.D. Ark. Dec. 1, 2020)
- Williams v. United States, 81 F.4th 835 (8th Cir. 2023)
- Neitzke v. Williams, 490 U.S. 319, 325 (1989)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Estelle v. Gamble, 429 U.S. 97, 106 (1976)
- Denton v. Hernandez, 504 U.S. 25, 32 (1992)
- Martin v. Sargent, 780 F.2d 1334, 1337 (8th Cir. 1985)
- Madewell v. Roberts, 909 F.2d 1203, 1208 (8th Cir. 1990)
- Parrish v. Ball, 594 F.3d 993, 1001 (8th Cir. 2010)
- Ashcroft v. Iqbal, 556 U.S. 662, 676 (2009)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Lockhart v. Fretwell, 506 U.S. 364, 368 (1993)
- Scheeler v. City of St. Cloud, Minn., 402 F.3d 826, 830 (8th Cir. 2005)
- Polk County v. Dodson, 454 U.S. 312 (1981)
- Miller v. Compton, 122 F.3d 1094 (8th Cir. 1997)
- Magee v. Trustees of Hamline University, Minn., 747 F.3d 532, 536 (8th Cir. 2014)
- Dossett v. First Bank, 399 F.3d 940, 947 (8th Cir. 2005)
- Pendleton v. St. Louis County, 178 F.3d 1007, 1011 (8th Cir. 1999)
- Kimmelman v. Morrison, 477 U.S. 365, 374 (1986)
- King v. City of Crestwood, Missouri, 899 F.3d 643, 651 (8th Cir. 2018)

OPINION

Doe

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF ARKANSAS

CENTRAL DIVISION

RASHAUN LADALE WILLIAMS PLAINTIFF

Reg. # 22723-009 v. Case No. 4:23-cv-00632-KGB DOES, et al. DEFENDANTS

ORDER

Plaintiff Rashaun Ladale Williams, an inmate, filed a pro se complaint pursuant to 42 U.S.C. § 1983 (Dkt. No. 2). On September 3, 2024, the Court granted Mr. Williams's motion for leave to proceed in forma pauperis and began screening his claims pursuant to the Prison Litigation Reform Act and in forma pauperis statute (Dkt. No. 15). The Court advised Mr. Williams that his complaint failed to state a claim on which relief may be granted and gave him the opportunity to file an amended complaint to cure the pleading deficiencies (Id.). Mr. Williams has filed his amended complaint (Dkt. No. 16), and it is ripe for this Court's review. I. Background As explained in the Court's September 3, 2024, Order, Mr. Williams pleaded guilty in the United States District Court for the Eastern District of Arkansas to two counts of possession with intent to distribute cocaine hydrochloride and possession with intent to distribute fentanyl in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A), and (b)(1)(B). See *United States v. Williams*, Case No. 4:20-cr-00348-BRW (filed E.D. Ark. Dec. 1, 2020) (Dkt. No. 49). The Honorable Billy Roy Wilson sentenced Mr. Williams to 240 months of imprisonment in the BOP (Id. (Dkt. No. 58)). Mr. Williams's conviction and sentence were affirmed on appeal. *Williams v. United States*, 81 F.4th 835 (8th Cir. 2023). Mr. Williams filed his complaint on a Federal Torts Claim Act form, arguing that his retained counsel acted unprofessionally during his representation and breached the attorney/client contract (Dkt. No. 1). He sought return of his retainer and other damages (Id.). Mr. Williams then filed a similar pleading making the same arguments against his other retained counsel (Dkt. No. 2). Mr. Williams sought the return of his retainer in that pleading, as well (Id.). Upon screening Mr. Williams's claims pursuant to the Prison Litigation Reform Act ("PLRA"), the Court found it apparent that Mr. Williams did not intend to bring a civil rights action under 42 U.S.C. § 1983 because he neither alleged a government actor nor stated a civil rights violation (Dkt. No. 15, at 5). The Court surmised that Mr. Williams may have intended to bring an action under the Federal Torts Claim Act or a breach of contract action against his attorneys (Id.). The Court explained to Mr. Williams why the allegations in his complaint failed to state a claim and gave him the opportunity to submit an amended pleading (Id., at 5-8). As explained below, the allegations in Mr. Williams's amended complaint also fail to state a claim on which relief may be granted. II. Screening The PLRA requires federal courts to screen prisoner complaints seeking relief against a governmental entity, officer, or employee. 28 U.S.C. § 1915A(a). The Court must

dismiss a complaint or portion thereof if the prisoner has raised claims that: (a) are legally frivolous or malicious; (b) fail to state a claim upon which relief may be granted; or (c) seek monetary relief from a defendant who is immune from such relief. *Id.* § 1915A(b). The in forma pauperis statute also imposes these standards for dismissal. 28 U.S.C. § 1915(e)(2)(B). An action is frivolous if “it lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). An action fails to state a claim upon which relief can be granted if it does not plead “enough facts to state a claim to relief that is plausible on its face.” *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007). In reviewing the sufficiency of a pro se complaint under the Court’s screening function, the Court must give the complaint the benefit of a liberal construction. *Estelle v. Gamble*, 429 U.S. 97, 106 (1976). The Court also must weigh all factual allegations in favor of the plaintiff, unless the facts alleged are clearly baseless. *Denton v. Hernandez*, 504 U.S. 25, 32 (1992). Although pro se complaints are to be liberally construed, the complaint must allege specific facts sufficient to state a claim. See *Martin v. Sargent*, 780 F.2d 1334, 1337 (8th Cir. 1985).

III. Mr. Williams’s Amended Complaint In his amended complaint, Mr. Williams sued John W. Hall, Greg Bryant, and Joan Does under 42 U.S.C. § 1993 (Dkt. No. 16). Mr. Williams identifies Mr. Hall and Mr. Bryant as his defense attorneys in his federal criminal case described above (*Id.*, at 2-3). He identifies the Joan Does as “defendants through discovery maybe added later into this case” (*Id.*, at 2). Mr. Williams entered into an attorney-client contract with Mr. Hall pursuant to which Mr. Williams paid Mr. Hall a retainer in the amount of \$12,500.00 (*Id.*, at 3). According to Mr. Williams, after Mr. Hall received the retainer he did nothing to defend Mr. Williams’s criminal case (*Id.*). Mr. Williams asserts that Mr. Hall’s lack of action constituted a breach of the terms of their contract (*Id.*). Similarly, Mr. Williams entered into an attorney-client contract with Mr. Bryant, who received \$15,000.00 as a retainer (*Id.*, at 4). Mr. Williams asserts that Mr. Bryant also did nothing to represent him after receiving the money and maintains that Mr. Bryant breached their attorney- client contract (*Id.*, at 4). Additionally, Mr. Williams characterizes the alleged failings of Mr. Hall and Mr. Bryant as legal malpractice (*Id.*, at 4-5). Mr. Williams also claims that their actions violated his Sixth Amendment right to effective counsel, which has caused him emotional distress (*Id.*, at 4). Mr. Williams seeks declaratory judgment, compensatory damages in the amount of the retainers paid to Mr. Hall and Mr. Bryant, and punitive damages (*Id.*, at 5).

IV. Discussion To state a claim under 42 U.S.C. § 1983, a plaintiff must allege facts showing that a defendant deprived him of a federally-protected right while acting under color of state law. 42 U.S.C. § 1983. “Liability under § 1983 requires a causal link to, and direct responsibility for, the alleged deprivation of rights.” *Madewell v. Roberts*, 909 F.2d 1203, 1208 (8th Cir. 1990). “Because vicarious liability is inapplicable to . . . § 1983 suits, a plaintiff must plead that each Government-official defendant, through the official’s own individual actions, has violated the Constitution.” *Parrish v. Ball*, 594 F.3d 993, 1001 (8th Cir. 2010) (citing *Ashcroft v. Iqbal*, 556 U.S. 662, 676 (2009)). Factual allegations must be sufficient to “raise a right to relief above the speculative level” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007). Mr. Williams named

Doe defendants in his amended complaint but made no allegations of fact against them. Because bare allegations void of factual enhancement are insufficient to state a claim for relief under § 1983, Mr. Williams's claims against the Doe defendants will be dismissed. *Ashcroft*, 556 U.S. at 678. Mr. Williams alleges that Mr. Hall and Mr. Bryant violated his Sixth Amendment right to effective counsel. "[T]he Sixth Amendment right to counsel exists 'in order to protect the fundamental right to a fair trial.'" *Lockhart v. Fretwell*, 506 U.S. 364, 368 (1993) (internal citations omitted). As such, "[a]bsent some effect of challenged conduct on the reliability of the trial process, the Sixth Amendment guarantee is generally not implicated." *Id.* (internal citation omitted). Mr. Williams says Mr. Hall and Mr. Bryant did nothing in his criminal case after each defendant received a retainer. Mr. Williams maintains that Mr. Hall and Mr. Bryant were not effective, but Mr. Williams stopped short of explaining how defendants' alleged actions compromised the reliability of the trial process. The only harm that Mr. Williams identified was the cash value of the lost retainers. The harm Mr. Williams pled is consistent with a breach of contract claim. Without factual allegations giving some indication of how Mr. Hall and Mr. Bryant's alleged omissions affected Mr. Williams's criminal proceedings, Mr. Williams's allegations in his amended complaint do not bring the Sixth Amendment into issue. Even if Mr. Williams's allegations had implicated the Sixth Amendment, Mr. Williams could not obtain relief against Mr. Hall or Mr. Bryant in this § 1983 action.¹ A § 1983 action can be maintained only against a "state actor" or a person acting under "the color of state law." See 42 U.S.C. § 1983; *Scheeler v. City of St. Cloud, Minn.*, 402 F.3d 826, 830 (8th Cir. 2005). Private attorneys, even attorneys such as Mr. Hall and Mr. Bryant who were retained to defend a criminal defendant, are not considered state actors or persons otherwise acting under the color of state law for § 1983 actions. *Polk Cnty. v. Dodson*, 454 U.S. 312 (1981); *Miller v. Compton*, 122 F.3d 1094 (8th Cir. 1997). For a private actor like Mr. Hall or Mr. Bryant to be subject to liability under § 1983, he or she "must be a 'willful participant in joint activity with the State' in denying plaintiff's constitutional rights." *Magee v. Trustees of Hamline University, Minn.*, 747 F.3d 532, 536 (8th Cir. 2014) (quoting *Dossett v. First Bank*, 399 F.3d 940, 947 (8th Cir. 2005)). "A plaintiff 'must allege, at the very least, that there was a mutual understanding, or a meeting of the minds, between the private party and state actor.'" *Pendleton v. St. Louis County*, 178 F.3d 1007, 1011 (8th Cir. 1999) (internal citation omitted). Mr. Williams has not alleged any facts indicating any such behavior on the part of Mr. Hall or Mr. Bryant. Even liberally construing Mr. Williams's amended complaint, Mr. Hall and Mr. Bryant cannot be held liable under § 1983. While Mr. Williams's § 1983 claims against Mr. Hall and Mr. Bryant fail, Mr. Williams does allege state-law breach of contract and legal malpractice claims. This Court may decline to exercise supplemental jurisdiction over state

law claims if no live federal claims remain in a case. 28 U.S.C. § 1367. “[I]n the usual case in which all federal-law claims are eliminated before trial, the balance of factors to be considered under the pendent jurisdiction doctrine . . . will point towards declining to exercise jurisdiction over the remaining state-law claims.” *King v. City of Crestwood, Missouri*, 899 F.3d 643, 651 (8th Cir. 2018) (internal citation omitted). Having already determined that Mr. Williams’s federal claims must be dismissed, the Court declines to retain jurisdiction over Mr. Williams’s state-law claims. V. Conclusion It is therefore ordered that:

1. Mr. Williams’s federal claims are dismissed without prejudice.
2. The Court declines to exercise jurisdiction over Mr. Williams’s state law claims.
3. Mr. Williams’s amended complaint is dismissed without prejudice (Dkt. No. 16).
4. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an in forma pauperis appeal from this Order and the accompanying Judgment would not be taken in good faith. So ordered this 27th day of January, 2026. Kristine G. Baker Chief United States District Court Judge