

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Patrick L. Mays v. Madison County Catholic Charities Diocese of
Springfield in Illinois, Denise Burton, and Sheryll Kellum

Mays · No. 26-cv-00363-JPG · Decided April 27, 2026

SUMMARY

The United States District Court for the Southern District of Illinois reserved ruling on Patrick L. Mays’s motion to proceed in forma pauperis and dismissed his complaint without prejudice. The court concluded that allegations concerning a disciplinary notice did not state a claim under the cited federal laws or establish federal-question jurisdiction, and that diversity jurisdiction was unavailable because all parties were Illinois citizens and the claimed damages were \$70,000. The court granted Mays until May 27, 2026, to file an amended complaint.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	J. Phil Gilbert
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	April 27, 2026
DOCKET	26-cv-00363-JPG
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff moved for leave to proceed in forma pauperis. The district court reviewed the complaint under 28 U.S.C. § 1915(e)(2) and dismissed it without prejudice for failure to state a claim within the court's subject matter jurisdiction, while reserving ruling on the in forma pauperis motion and granting leave to amend.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2), the court may deny in forma pauperis status or dismiss an action that is frivolous, malicious, or fails to state a claim. The court applied the plausibility standard for failure to state a claim and examined whether the complaint fell within federal-question or diversity jurisdiction.
PRECEDENTIAL VALUE	nonprecedential

PARTIES

Patrick L. Mays v. Madison County Catholic Charities Diocese of Springfield in Illinois, Denise Burton, Sheryll Kellum

TOPICS

subject matter jurisdiction civil procedure pleadings motions to dismiss

PRACTICE AREAS

civil procedure employment law federal jurisdiction

QUESTIONS PRESENTED

1. Whether the complaint stated a claim under the Sherman Antitrust Act, the FOIA Improvement Act of 2016, the Economic Espionage Act of 1996, the First Amendment, or a federal employment statute sufficient to invoke federal-question jurisdiction.
2. Whether the complaint established diversity jurisdiction under 28 U.S.C. § 1332(a).
3. Whether the complaint should be dismissed under 28 U.S.C. § 1915(e)(2) while the motion for leave to proceed in forma pauperis remained pending.

HOLDINGS

1. The complaint failed to state a claim under the Sherman Antitrust Act, the FOIA Improvement Act of 2016, the Economic Espionage Act of 1996, the First Amendment, or any federal employment statute, and therefore did not establish federal-question jurisdiction.
2. The complaint did not establish original diversity jurisdiction because all parties were Illinois citizens and Plaintiff sought only \$70,000 in damages.
3. Although Plaintiff was indigent, the court dismissed the complaint without prejudice under 28 U.S.C. § 1915(e)(2) and reserved ruling on the motion for leave to proceed in forma pauperis.

KEY QUOTATIONS

“An action fails to state a claim if it does not plead “enough facts to state a claim to relief that is plausible on its face.””

“Therefore, the Court RESERVES RULING on the Motion for Leave to Proceed in Forma Pauperis (Doc. 5) and DISMISSES the Complaint (Doc. 3) without prejudice.”

FACTUAL BACKGROUND

Plaintiff alleged that on July 26, 2024, Denise Burton provided him with a final disciplinary written notice signed by his direct supervisor, Sheryll Kellum. The notice stated that Plaintiff demonstrated poor job performance and did not meet job expectations. Plaintiff alleged that Burton signed the document at a later date or during a later timeframe, and claimed lost wages and exemplary damages.

PROCEDURAL HISTORY

Mays filed a complaint alleging claims under federal statutes and the First Amendment, as well as Illinois law, and moved to proceed in forma pauperis. The court found that the complaint failed to state a claim under the asserted federal laws or any federal employment statute and that diversity jurisdiction was unavailable because all parties were Illinois citizens and the amount sought was \$70,000. The complaint was dismissed without prejudice, with leave to amend by May 27, 2026.

DISPOSITION

dismissed

CASES CITED

- Neitzke v. Williams, 490 U.S. 319, 325 (1989)
- Corgain v. Miller, 708 F.2d 1241, 1247 (7th Cir. 1983)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Lucien v. Roegner, 682 F.2d 625, 626 (7th Cir. 1982)