

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
INDIANA, INDIANAPOLIS DIVISION

Donavan Ferguson A.K.A. Ra Ka El Vito Onacona v. Industry
Indianapolis, et al.

Donavan Ferguson A.K.A. Ra Ka El Vito Onacona v. Industry Indianapolis, No. 1:25-cv-01566-JPH-MKK (S.D.
Ind. May 7, 2026) · No. 1:25-cv-01566-JPH-MKK · Decided May 7, 2026

SUMMARY

The United States District Court for the Southern District of Indiana grants Donovan Ferguson leave to amend his complaint but dismisses the amended complaint. The court grants Industry Indianapolis's motion to dismiss based on claim preclusion and dismisses the claims against the other defendants for judicial immunity, insufficient factual allegations, lack of support for an access-to-courts claim, and failure to plead civil conspiracy. The court also denies motions for injunctive relief and appointment of counsel, and permits Ferguson until May 28, 2026, to show cause why final judgment should not issue.

CASE DETAILS

COURT	United States District Court for the Southern District of Indiana, Indianapolis Division
WRITING FOR THE COURT	James Patrick Hanlon
JURISDICTION	United States District Court for the Southern District of Indiana, Indianapolis Division
DECIDED	May 7, 2026
DOCKET	1:25-cv-01566-JPH-MKK
DISPOSITION	dismissed
PROCEDURAL POSTURE	The court granted plaintiff leave to amend, applied the pending motion to dismiss to the amended complaint, dismissed the claims against Industry Indianapolis under the Rooker-Feldman and claim-preclusion analyses, screened the remaining claims under the Rule 12(b)(6) standard, dismissed the amended complaint, denied motions for injunctive relief and appointment of counsel, and ordered plaintiff to show cause why final judgment should not issue.
STANDARD OF REVIEW	For Rule 12(b)(1), the plaintiff bears the burden of establishing subject-matter jurisdiction. For Rule 12(b)(6) and screening, the court

	accepts well-pleaded factual allegations as true, disregards legal conclusions and conclusory allegations, and asks whether the complaint states a facially plausible claim. The court also applied Indiana claim-preclusion law and took judicial notice of state-court filings and appellate docket materials.
PRECEDENTIAL VALUE	Unpublished district-court order; precedential status unknown and generally nonprecedential.
PARTIES	Donavan Ferguson A.K.A. Ra Ka El Vito Onaconda v. Industry Indianapolis, James Bryan, Morgan Harrington, Emma Kooy, Ben Schooley, Judge Roper, Judge Strugill, Mary Clems, Unknown court clerk and security staff, John Does 1-10

TOPICS

motions to dismiss

motion to amend

res judicata

subject matter jurisdiction

civil rights

PRACTICE AREAS

Civil procedure

Civil rights

Federal jurisdiction

Housing and landlord-tenant law

QUESTIONS PRESENTED

1. Whether plaintiff should be granted leave to amend his complaint under Federal Rule of Civil Procedure 15(a)(2).
2. Whether the Rooker-Feldman doctrine deprived the district court of subject-matter jurisdiction because plaintiff challenged a state-court eviction judgment.
3. Whether Indiana claim-preclusion law barred plaintiff's claims against Industry Indianapolis based on the prior judgment on his state-court counterclaims.
4. Whether the amended complaint stated plausible claims against the judges, landlord employees, court personnel, unknown defendants, and alleged conspirators.
5. Whether plaintiff was entitled to preliminary injunctive relief or appointed counsel.

HOLDINGS

1. Leave to amend should be freely granted when justice so requires, and plaintiff's motion to amend was granted.
2. The Rooker-Feldman doctrine did not bar plaintiff's federal claims because his state-court appeal was still pending when he filed the federal action.
3. Indiana claim-preclusion law barred plaintiff's claims against Industry Indianapolis because the prior small-claims judgment involved the same parties, was rendered by a court of competent jurisdiction on the merits, and concerned claims that were or could have been litigated in the prior action.

4. The claims against Judges Roper and Strugill were dismissed because judicial officers are absolutely immune from suit for acts performed in their judicial capacities absent action in the complete absence of jurisdiction.
5. The amended complaint failed to state plausible claims against the landlord employees, court personnel, unknown defendants, and alleged conspirators because it did not connect specific defendants to actionable conduct or plead a conspiratorial agreement.
6. Plaintiff was not entitled to injunctive relief or appointed counsel at this stage.

KEY QUOTATIONS

"Rooker–Feldman "is a narrow doctrine, confined to cases brought by state-court losers complaining of injuries caused by state-court judgments rendered before the district court proceedings commenced and inviting district court review and rejection of those judgments."" (II.C.1)

"When those requirements are met, "claim preclusion enacts a robust and powerful prohibition against claim splitting because it extinguishes not only an entire claim . . . but any other possible claims that could have been litigated."" (II.C.2)

"Each Defendant is entitled to know what he or she did that is asserted to be wrongful."" (III.B)

FACTUAL BACKGROUND

Plaintiff leased an apartment from Industry Indianapolis and alleged inadequate heat, a nonfunctional stove, and other uninhabitable conditions. After plaintiff complained, Industry Indianapolis initiated eviction proceedings in Marion County Small Claims Court, where plaintiff asserted counterclaims for retaliation and discrimination; judgment on those counterclaims was entered for Industry Indianapolis on June 20, 2025. Plaintiff later filed this federal action alleging due process, equal protection, access-to-courts, Fair Housing Act, and civil-conspiracy violations, including allegations concerning the eviction, state-court personnel, police officers, and hospital staff.

PROCEDURAL HISTORY

Plaintiff initially sued after eviction proceedings involving his apartment. The court screened the original complaint and dismissed claims against all defendants except Industry Indianapolis. Plaintiff then moved to amend to reassert claims against the dismissed defendants, while Industry Indianapolis moved to dismiss. The court granted amendment, treated the existing motion to dismiss as directed to the amended complaint, dismissed the claims against Industry Indianapolis with prejudice based on claim preclusion, dismissed claims against the remaining defendants, dismissed John Doe claims without prejudice, and set a show-cause deadline before entry of final judgment.

DISPOSITION

dismissed

CASES CITED

- *Runnion v. Girl Scouts of Greater Chi. & Nw. Ind.*, 786 F.3d 510, 519-20 (7th Cir. 2015)

- *Beal v. Beller*, 847 F.3d 897, 901 (7th Cir. 2017)
- *McCauley v. City of Chicago*, 671 F.3d 611, 616 (7th Cir. 2012)
- *Ctr. for Dermatology and Skin Cancer, Ltd. v. Burwell*, 770 F.3d 586, 588-89 (7th Cir. 2014)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)
- *Bilek v. Fed. Ins. Co.*, 8 F.4th 581, 586 (7th Cir. 2021)
- *Graham v. Bd. of Educ.*, 8 F.4th 625, 627 (7th Cir. 2021)
- *Crawford v. Countrywide Home Loans*, 647 F.3d 642, 645 (7th Cir. 2011)
- *Parker v. Lyons*, 757 F.3d 701, 705-06 (7th Cir. 2014)
- *Hadzi-Tanovic v. Johnson*, 62 F.4th 394, 408 n.4 (7th Cir. 2023)
- *Robbins v. Med-1 Solutions, LLC*, 13 F.4th 652, 656 (7th Cir. 2021)
- *Webber v. Butner*, 923 F.3d 479, 480-81 (7th Cir. 2019)
- *Mashallah, Inc. v. West Bend Mut. Ins. Co.*, 20 F.4th 311, 319 (7th Cir. 2021)
- *Miller v. Patel*, 212 N.E.3d 639, 646 (Ind. 2023)
- *Freels v. Koches*, 94 N.E.3d 339, 342-44 (Ind. Ct. App. 2018)
- *Walker v. Herman & Kittle Props., Inc.*, 178 N.E.3d 1266, 1272 (Ind. Ct. App. 2021)
- *Hilliard v. Jacobs*, 957 N.E.2d 1043, 1046, 1048 (Ind. Ct. App. 2011)
- *Walczak v. Chicago Bd. of Educ.*, 739 F.3d 1013, 1016 n.2 (7th Cir. 2014)
- *Brownmark Films, LLC v. Comedy Partners*, 682 F.3d 687, 690 (7th Cir. 2012)
- *Rowe v. Shake*, 196 F.3d 778, 783 (7th Cir. 1999)
- *Cesal v. Moats*, 851 F.3d 714, 720 (7th Cir. 2017)
- *Dawson v. Newman*, 419 F.3d 656, 660 (7th Cir. 2005)
- *Mireles v. Waco*, 502 U.S. 9, 12 (1991)
- *Milchtein v. Milwaukee Cnty.*, 42 F.4th 814, 824 (7th Cir. 2022)
- *Brooks v. Ross*, 578 F.3d 574, 580-81 (7th Cir. 2009)
- *Bank of Am., N.A. v. Knight*, 725 F.3d 815, 818 (7th Cir. 2013)
- *Jones v. Van Lanen*, 27 F.4th 1280, 1287 (7th Cir. 2022)
- *Wudtke v. Davel*, 128 F.3d 1057, 1060 (7th Cir. 1997)
- *Herrera v. Cleveland*, 8 F.4th 493, 497 (7th Cir. 2021)
- *Troya v. Wilson*, 807 Fed. App'x 556, 560 (7th Cir. 2020)
- *Redd v. Nolan*, 663 F.3d 287, 292 (7th Cir. 2011)
- *Cooney v. Rossiter*, 583 F.3d 967, 971 (7th Cir. 2009)
- *Minocqua Brewing Co. LLC v. Hess*, 160 F.4th 849, 855 (7th Cir. 2025)
- *Walker v. Price*, 900 F.3d 933, 938 (7th Cir. 2018)
- *Pruitt v. Mote*, 503 F.3d 647, 654-55 (7th Cir. 2007)
- *Olson v. Morgan*, 750 F.3d 708, 711-12 (7th Cir. 2014)
- *Farmer v. Haas*, 990 F.2d 319, 321 (7th Cir. 1993)

- Mapes v. Indiana, 932 F.3d 968, 971-72 (7th Cir. 2019)

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