

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Stephen Christopher Wright v. Sarah Elizabeth Holmes, et al.

Wright v. Holmes · No. CIV-25-1497-SLP · Decided January 29, 2026

SUMMARY

The United States District Court for the Western District of Oklahoma grants Plaintiff Stephen Christopher Wright’s motion to remand an action removed from Oklahoma state court. The court holds that the operative pleading asserts only state-law claims and does not present a federal question on its face, despite the removing defendant’s contention that the allegations could support a Fourth Amendment or 42 U.S.C. § 1983 claim. The case is remanded to the District Court of Garvin County, Oklahoma.

CASE DETAILS

COURT	United States District Court for the Western District of Oklahoma
WRITING FOR THE COURT	Scott L. Palk
JURISDICTION	United States District Court for the Western District of Oklahoma
DECIDED	January 29, 2026
DOCKET	CIV-25-1497-SLP
DISPOSITION	remanded
PROCEDURAL POSTURE	Plaintiff moved to remand a removed state-court action, asserting that his claims arose solely under Oklahoma law and that he did not intend to assert federal constitutional or civil-rights claims.
STANDARD OF REVIEW	The removing party bears the burden of establishing federal subject-matter jurisdiction; removal statutes are strictly construed against removal, and doubts are resolved in favor of remand.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- subject matter jurisdiction
- civil procedure
- pleadings
- torts

PRACTICE AREAS

- civil procedure
- federal jurisdiction
- removal and remand
- state tort claims

QUESTIONS PRESENTED

1. Whether Plaintiff's motion to remand was timely when it was filed one day beyond the thirty-day period for challenging nonjurisdictional removal defects.
2. Whether the federal court had federal-question jurisdiction when the face of the operative state-court petition asserted only state-law claims, notwithstanding the removing defendant's contention that the allegations could support an implied Fourth Amendment or 42 U.S.C. § 1983 claim.

HOLDINGS

1. A motion to remand based on lack of subject-matter jurisdiction may be considered at any time before final judgment, notwithstanding the thirty-day deadline applicable to other removal defects.
2. A federal court lacks federal-question jurisdiction when the face of the plaintiff's properly pleaded complaint asserts only state-law claims, even if the factual allegations could potentially support an unpleaded federal claim.

KEY QUOTATIONS

"A plaintiff is the "master of his complaint" and may elect to rely exclusively on state law." (Section III.B)

"Although the factual allegations could potentially support a federal civil-rights claim, the mere possibility that a plaintiff could have asserted a federal claim is insufficient to confer federal-question jurisdiction." (Section III.B)

"This action is remanded to the District Court of Garvin County, State of Oklahoma." (Section IV)

FACTUAL BACKGROUND

The action arose from alleged encounters between Plaintiff and individual defendants and the City of Elmore City during 2024 and 2025. Plaintiff alleged physical confrontations, false statements, emotional distress, and resulting personal, economic, and reputational harm. His Second Amended Petition asserted Oklahoma tort claims, including intentional and negligent infliction of emotional distress, defamation, assault, and battery, but did not expressly assert a federal cause of action.

PROCEDURAL HISTORY

Plaintiff filed a Second Amended Petition in the District Court of Garvin County, Oklahoma, asserting Oklahoma tort claims. Defendant City of Elmore City removed the action to federal court under federal-question jurisdiction, contending that the allegations implied claims under the Fourth Amendment and 42 U.S.C. § 1983. Plaintiff moved to remand. Although the motion was filed one day after the thirty-day deadline applicable to nonjurisdictional removal defects, the court construed it as challenging subject-matter jurisdiction, granted the motion, and remanded the case to the District Court of Garvin County.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The Clerk was directed to take all actions necessary to effectuate remand to the District Court of Garvin County, State of Oklahoma. Any pending motions were to be addressed by the state court on remand because the federal court lacked jurisdiction to consider them.

CASES CITED

- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Gaines v. Stenseng, 292 F.3d 1222, 1224 (10th Cir. 2002)
- Becker v. Ute Indian Tribe of the Uintah & Ouray Rsrv., 770 F.3d 944, 946-47 (10th Cir. 2014)
- Rivet v. Regions Bank of Louisiana, 522 U.S. 470, 475 (1998)
- Caterpillar Inc. v. Williams, 482 U.S. 386, 392, 399 (1987)
- Six v. City of Moriarty, No. CIV 17-1113 KG/KK, 2018 WL 3178297, at *2 (D.N.M. June 28, 2018)
- Pritchett v. Off. Depot, Inc., 420 F.3d 1090, 1097 (10th Cir. 2005)
- FW/PBS, Inc. v. City of Dallas, 493 U.S. 215, 231 (1990)
- Karnes v. Boeing Co., 335 F.3d 1189, 1193 (10th Cir. 2003)
- In re Taxable Mun. Bonds Litig., No. CIV. A. 92-3931, 1993 WL 165729, at *3 (E.D. La. May 10, 1993)
- Unified Sch. Dist. No. 497 v. Long-Palcher, No. CIV.A.01-2448-CM, 2002 WL 1263973, at *2 (D. Kan. May 30, 2002)
- Cunningham v. BHP Petroleum Gr. Brit. PLC, 427 F.3d 1238, 1245 (10th Cir. 2005)