UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

JASON KEITH JONES, Plaintiff, v. MEDINA COURT OF COMMON PLEAS, et al., Defendants.	)	CASE NO. 1:15 CV 1862 JUDGE JAMES S. GWIN MEMORANDUM OF OPINION AND ORDER

Before the court is this *in forma pauperis* action filed plaintiff *pro se* Jason Keith Jones. Because the Complaint consisted of a series of legal propositions and did not contain understandable factual allegations, plaintiff was granted leave to file an amended complaint, which he did on November 2, 2015. The Amended Complaint, while unclear, appears to assert that the Medina Domestic Relations Court does not have jurisdiction over plaintiff.

Although *pro se* pleadings are liberally construed, *Boag v. MacDougall*, 454 U.S. 364, 365 (1982) (per curiam), the district court is required to dismiss an action under 28 U.S.C. § 1915(e) if it fails to state a claim upon which relief can be granted, or if it lacks an arguable basis in law or fact.[1] *Neitzke v. Williams*, 490 U.S. 319 (1989); *Hill v. Lappin*, 630 F.3d 468, 470 (6th Cir. 2010).

[1] An *in forma pauperis* claim may be dismissed *sua sponte*, without prior notice to the plaintiff and without service of process on the defendant, if the court explicitly states that it is invoking section 1915(e) [formerly 28 U.S.C. § 1915(d)] and is dismissing the claim for one of the reasons set forth in the statute. *Chase Manhattan Mortg. Corp. v. Smith,*

Under the *Rooker–Feldman* doctrine, the Supreme Court exercises exclusive jurisdiction over appeals from state courts. Lower federal courts do not have jurisdiction to review appeals from state court domestic relation decisions, even if the plaintiffs allege a constitutional injury. "[T]he [Rooker–Feldman] doctrine 'prevents lower federal courts from hearing cases that amount to the functional equivalent of an appeal from a state court."[2]

A cause of action fails to state a claim upon which relief may be granted when it lacks "plausibility in the complaint." *Bell At. Corp. v. Twombly*, 550 U.S. 544, 564 (2007). A pleading must contain a "short and plain statement of the claim showing that the pleader is entitled to relief." *Ashcroft v. Iqbal*, 556 U.S. 662, 677-78 (2009). The factual allegations in the pleading must be sufficient to raise the right to relief above the speculative level on the assumption that all the allegations in the complaint are true. *Twombly*, 550 U.S. at 555. The plaintiff is not required to include detailed factual allegations, but must provide more than "an unadorned, the-defendant-unlawfully-harmed-me accusation." *Iqbal*, 556 U.S. at 678 (2009). A pleading that offers legal conclusions or a simple recitation of the elements of a cause of action will not meet this pleading standard. *Id.*

Even construing the Amended Complaint liberally in a light most favorable to the plaintiff, *Brand v. Motley*, 526 F.3d 921, 924 (6th Cir. 2008), it does not contain allegations reasonably suggesting he might have a valid federal claim. *See*, *Lillard v. Shelby County Bd. of Educ,*, 76 F.3d 716 (6th Cir. 1996)(court not required to accept summary allegations or unwarranted legal conclusions in determining whether complaint states a claim for relief).

Accordingly, the request to proceed *in forma pauperis* is granted, and this action is dismissed under section 1915(e). Further, the court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal

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507 F.3d 910, 915 (6th Cir. 2007); *Gibson v. R.G. Smith Co.,* 915 F.2d 260, 261 (6th Cir. 1990); *Harris v. Johnson*, 784 F.2d 222, 224 (6th Cir. 1986).

[2]*William Penn Apartments v. D.C. Court of Appeals*, 39 F. Supp. 3d 11, 16 (D.D.C. 2014).

from this decision could not be taken in good faith.

IT IS SO ORDERED.

Dated: November 19, 2015

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE