IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

THOMAS-MARTIN HAPPLE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 23-1399-GBW
	)	
DANA D'ANGELO,	)	
	)	
Defendant.	)	

Thomas-Martin Happle, Millsboro, Delaware – *Pro se* Plaintiff

Dana D'Angelo, KENT & MCBRIDE, PC, Wilmington, Delaware – Counsel for Defendant Dana D'Angelo

MEMORANDUM OPINION

May 16, 2025
Wilmington, Delaware

WILLIAMS, U.S. District Judge:

I. INTRODUCTION

On December 7, 2023, Plaintiff Thomas-Martin Happle initiated this action *pro se* with the filing of a Complaint. (D.I. 1.) Now pending before the Court is Defendant Dana D'Angelo's motion to dismiss the Complaint. (D.I. 13.) The Court grants Defendant's motion to dismiss for the reasons explained below.

II. BACKGROUND

According to the Complaint, on February 15, 2023, in the Bloomingdale Municipal Court in New Jersey, Defendant removed Plaintiff from Defendant's courtroom during a hearing. (*See* D.I. 1 at 4.) Plaintiff believes that this removal amounted to a denial of due process. (*See id.*) For this alleged violation of rights, Plaintiff seeks $4,855,000 in monetary damages, interest, and injunctive relief in the form of the Bloomingdale Municipal Court ceasing contact with the "Cornerstone Family God Trust [and] its property and family members." (*Id.* at 5.)

After Defendant moved to dismiss the Complaint (*See* D.I. 13), and the parties briefed the matter (*see* D.I. 15, 16), Plaintiff filed an Amended Complaint (D.I. 17) out-of-time and without permission of the Court. The Amended Complaint alleges that Defendant, in his official capacity as a Bloomingdale Municipal Court Judge, authorized and directed law enforcement officers in violating Plaintiff's rights

during the February 15, 2023 hearing and the preceding arrest, which amounted to a conspiracy involving various civil violations and criminal offenses. (*Id.* at 2-4.)

III. LEGAL STANDARD

In reviewing a motion to dismiss filed under Fed. R. Civ. P. 12(b)(6), the Court must accept all factual allegations in a complaint as true and take them in the light most favorable to Plaintiff. *See Erickson v. Pardus*, 551 U.S. 89, 94 (2007). Because Plaintiff proceeds *pro se*, his pleading is liberally construed and his Complaint, "however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers." *Erickson*, 551 U.S. at 94.

A Rule 12(b)(6) motion may be granted only if, accepting the well-pleaded allegations in the complaint as true and viewing them in the light most favorable to the complainant, a court concludes that those allegations "could not raise a claim of entitlement to relief." *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 558 (2007). "Though 'detailed factual allegations' are not required, a complaint must do more than simply provide 'labels and conclusions' or 'a formulaic recitation of the elements of a cause of action.'" *Davis v. Abington Mem'l Hosp.*, 765 F.3d 236, 241 (3d Cir. 2014) (quoting *Twombly*, 550 U.S. at 555). The Court is "not required to credit bald assertions or legal conclusions improperly alleged in the complaint." *In re Rockefeller Ctr. Props., Inc. Sec. Litig.*, 311 F.3d 198, 216 (3d Cir. 2002). A complaint may not be dismissed, however, "for imperfect statement of the legal

theory supporting the claim asserted." *Johnson v. City of Shelby*, 574 U.S. 10, 11 (2014).

A complainant must plead facts sufficient to show that a claim has "substantive plausibility." *Id.* at 12. That plausibility must be found on the face of the complaint. *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). "A claim has facial plausibility when the [complainant] pleads factual content that allows the court to draw the reasonable inference that the [accused] is liable for the misconduct alleged." *Id.* Deciding whether a claim is plausible will be a "context-specific task that requires the reviewing court to draw on its judicial experience and common sense." *Id.* at 679.

IV. DISCUSSION

Holding the *pro se* Complaint to a less stringent standard than formal pleadings drafted by lawyers and viewing it in the light most favorable to Plaintiff, the Court cannot reasonably infer a due process violation from the scant facts alleged. The Complaint relies on bald assertions and legal conclusions, which the Court does not credit in the absence of supporting factual allegations. (*See* D.I. 1.) The Amended Complaint does not cure this deficiency. (*See* D.I. 17.) Put simply, Plaintiff's claims do not raise a claim of entitlement to relief.

Moreover, a "judicial officer in the performance of his duties has absolute immunity from suit and will not be liable for his judicial acts."

Capogrosso v. Supreme Court of New Jersey, 588 F.3d 180, 184 (3d Cir. 2009). At issue here exclusively are Defendant's judicial acts as a Bloomingdale Municipal Court judge. (*See* D.I. 1; *see also* D.I. 17.) As such, all of Plaintiff's claims against Defendant are barred by judicial immunity. Accordingly, the Complaint (D.I. 1) will be dismissed. The Amended Complaint (D.I. 17) shows amendment is futile.

V. CONCLUSION

For the reasons discussed, the Court will grant Defendant's motion to dismiss (D.I. 13) and dismiss the Complaint (D.I. 1). Amendment is futile.

An appropriate Order will be entered.