INDEX TO APPENDICES

Appendix A: Opinion of the United States Court of Appeals for the Fifth Circuit in Cause No. 26-20056 (August 7, 2026).

Appendix B: Final Judgment and Order of Dismissal of the United States District Court for the Southern District of Texas in Civil Action No. 4:25-cv-00837 (January 22, 2026).

Appendix C: Magistrate Judge's Memorandum and Recommendation in Civil Action No. 4:25-cv-00837 (Dkt. 29).

Appendix D: Index of Record on Appeal Exhibits Relevant to the Questions

Master Index of Record on Appeal (ROA) Exhibits			
Question	**Cluster Name**	**Pillar ROA(s)**	**Supporting ROAs**
Q1	A Different Controversy Adjudicated	84, & 14,15,16	14-25, 14-36, 60-65, 224, 262, 301-316, 891-899, 1000-1041
Q2	Stigma Classification	1243, 215, 216	94-101, 132, 250, 252, 253, 254, 891-894, 1244, 1249
Q3	Contradictory Records	239-240 & 232	224, 246, 255, 257-258, 262, 288-292, 891-894, Cluster: (285-300)—(Identifiers/ Witnesses).
Q4	Liberty / Judicial Review	132	183, 189, 190, 191, 192, 242, 243, 244, 176-177, Cluster: (132,183-191, 239, 240, 249, 250, 259-260)—OPC Deviation from Standard of Compliance
Q5	Privacy Act / Record Integrity	1243, 1244, 1245	168-171, 232, 271-282, 843, 869-870, 875, 1243, 1244, 1249, 1255, 176-177
Q6	Bodily Autonomy / Personal Safety	245, 1252, 354, 1251, 805	123-125, 128-130, 354 & 369, 908, 245, 1013, 1142,1155,1171, 285-300, 279-280,1245,1255,843,819,245,1254-1361,1243,1244,1249,132,243,

United States Court of Appeals for the Fifth Circuit

United States Court of Appeals
Fifth Circuit
FILED
August 7, 2026
Lyle W. Cayce
Clerk

No. 26-20056
Summary Calendar

JAN ELIZABETH LIGHTFOOT, PH. D., *Doctor*, *also known as* JAN CHRISTOPHER, *also known as* JANICE MARIE BANKS,

Plaintiff—Appellant,

versus

OAK BEND MEDICAL CENTER; COURTNEY LANDRY, *Doctor*; REGISTERED NURSE CATHY LANDRY; SW RONNIE CAULEY; KATHERINE OLIVER, *Et al.*,

Defendants—Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:25-CV-837

Before JONES, HO, and WILSON, *Circuit Judges*.

PER CURIAM:*

Jan Elizabeth Lightfoot, Ph.D., challenges the dismissal of her complaint under Federal Rule of Civil Procedure 12(b)(6). With the benefit of liberal construction, *see Erickson v. Pardus*, 551 U.S. 89, 94 (2007), she

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

raises nine claims: (1) the district court's denial of her motion to amend the case caption constituted structural error; (2) the district court failed to apply federal-question jurisdiction; (3) the district court's actions concerning the summons denied her access to the courts; (4) the district court erred when it sua sponte dismissed the complaint with prejudice without addressing certain pieces of evidence; (5) the district court procedurally erred when it sua sponte dismissed the complaint with prejudice; (6) certain comments by the district court demonstrated judicial bias; (7) the district court's failure to address a claim pertaining to a bankruptcy check was due to a conflict of interest; (8) the district court's actions constituted obstruction of her rights; and (9) the defendants violated federal laws and regulations pertaining to her privacy rights.

We review a district court's dismissal under Rule 12(b)(6) de novo. *Sw. Bell Tel., LP v. City of Houston*, 529 F.3d 257, 260 (5th Cir. 2008). The facts alleged in the complaint must be taken as true and viewed in the light most favorable to the plaintiff. *Green v. Atkinson*, 623 F.3d 278, 280 (5th Cir. 2010). Nonetheless, a complaint will not proceed unless it "contain[s] sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (internal quotation marks and citation omitted).

The district court's denial of Lightfoot's motion to amend the case caption did not constitute error, structural or otherwise. *See Arizona v. Fulminante*, 499 U.S. 279, 310 (1991). The district court did not conclude that it lacked jurisdiction to adjudicate the matter but rather dismissed the complaint pursuant to Rule 12(b)(6). Furthermore, the district court did not err in denying Lightfoot's motion for service by a United States marshal. *See* FED. R. CIV. P. 4(c)(1), (3). Additionally, the record reflects that the district court considered Lightfoot's claims before sua sponte dismissing her complaint. *See Sw. Bell Tel., LP*, 529 F.3d at 260.

Lightfoot's argument that the district court procedurally erred when it dismissed her complaint before service was completed is unavailing given that she had notice and an opportunity to respond before the dismissal, *see Carver v. Atwood*, 18 F.4th 494, 498 (5th Cir. 2021); *Century Sur. Co. v. Blevins*, 799 F.3d 366, 372 (5th Cir. 2015), and given that she fails to show that the district court abused its discretion in denying her leave to amend her complaint further before dismissal, *see Hutcheson v. Dallas Cnty.*, 994 F.3d 477, 483 (5th Cir. 2021). Her judicial bias argument is also unpersuasive. *See Liteky v. United States*, 510 U.S. 540, 555 (1994); *United States v. Scroggins*, 485 F.3d 824, 830 (5th Cir. 2007). Regarding her argument about the bankruptcy check, the district court did not err in concluding that she failed to state a cognizable claim. *See Iqbal*, 556 U.S. at 678. Additionally, Lightfoot has failed to adequately brief an argument that the district court's action obstructed her rights. *See Mapes v. Bishop*, 541 F.3d 582, 584 (5th Cir. 2008). Regarding her privacy rights, Lightfoot fails to show that the district court erred in concluding that she failed to state a cognizable claim for relief. *See Iqbal*, 556 U.S. at 678; *Taylor v. Books A Million, Inc.*, 296 F.3d 376, 378 (5th Cir. 2002).

AFFIRMED.

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

August 07, 2026

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW

Regarding: Fifth Circuit Statement on Petitions for Rehearing or Rehearing En Banc

No. 26-20056 Lightfoot v. Oak Bend Med Ctr
USDC No. 4:25-CV-837

Enclosed is a copy of the court's decision. The court has entered judgment under Fed. R. App. P. 36. (However, the opinion may yet contain typographical or printing errors which are subject to correction.)

Fed. R. App. P. 39 through 41, and Fed. R. App. P. 39, 40, and 41 govern costs, rehearings, and mandates. **Fed. R. App. P. 40 require you to attach to your petition for panel rehearing or rehearing en banc an unmarked copy of the court's opinion or order.** Please read carefully the Internal Operating Procedures (IOP's) following Fed. R. App. P. 40 for a discussion of when a rehearing may be appropriate, the legal standards applied and sanctions which may be imposed if you make a nonmeritorious petition for rehearing en banc.

Direct Criminal Appeals. Fed. R. App. P. 41 provides that a motion for a stay of mandate under Fed. R. App. P. 41 will not be granted simply upon request. The petition must set forth good cause for a stay or clearly demonstrate that a substantial question will be presented to the Supreme Court. Otherwise, this court may deny the motion and issue the mandate immediately.

Pro Se Cases. If you were unsuccessful in the district court and/or on appeal, and are considering filing a petition for certiorari in the United States Supreme Court, you do not need to file a motion for stay of mandate under Fed. R. App. P. 41. The issuance of the mandate does not affect the time, or your right, to file with the Supreme Court.

Court Appointed Counsel. Court appointed counsel is responsible for filing petition(s) for rehearing(s) (panel and/or en banc) and writ(s) of certiorari to the U.S. Supreme Court, unless relieved of your obligation by court order. If it is your intention to file a motion to withdraw as counsel, you should notify your client promptly, **and advise them of the time limits for filing for rehearing and certiorari**. Additionally, you MUST confirm that this information was given to your client, within the body of your motion to withdraw as counsel.

Sincerely,

LYLE W. CAYCE, Clerk

Dantrell Johnson

By: _____
Dantrell L. Johnson, Deputy Clerk
504-310-7689

Enclosure(s)

Ms. Jan Elizabeth Lightfoot

United States District Court
Southern District of Texas
ENTERED
January 22, 2026
Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JAN ELIZABETH LIGHTFOOT, Plaintiff,	§	CIVIL ACTION NUMBER 4:25-cv-00837
versus	§	JUDGE CHARLES ESKRIDGE
OAK BEND MEDICAL CENTER, *et al*, Defendants.	§	

ORDER ADOPTING
MEMORANDUM AND RECOMMENDATION

Plaintiff Jan Elizabeth Lightfoot proceeds here *pro se*. She sued numerous entities and individuals, apparently seeking damages and other relief related to her involuntary commitment and alleged medical billing fraud, among other things. Dkt 15 at 1–28. No Defendant has been served or made an appearance in this case.

The matter was referred for disposition to Magistrate Judge Christina A. Bryan. Dkt 5. She issued a Memorandum and Recommendation recommending that the claims be dismissed *sua sponte* for failure to state a plausible claim for relief or, alternatively, for failure to perfect service. Dkt 29 at 2–3.

The district court reviews *de novo* those conclusions of a magistrate judge to which a party has specifically objected. See FRCP 72(b)(3) & 28 USC § 636(b)(1)(C); see also *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989, *per curiam*). The district court may accept any other portions to which there's no objection if satisfied that no clear error appears on the face of the record. See *Guillory v*

PPG Industries Inc, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1430 (5th Cir 1996, *en banc*); see also FRCP 72(b) advisory committee note (1983).

Plaintiff filed objections. Dkt 30. Among other things, she contends that service was frustrated by the Court's denial of her request for service through the United States Marshals. Id at 1. And she asserts that the complaint is not frivolous because it contains "documented evidence" of ongoing harm, constitutional violations, predicate acts relevant to civil RICO, and actions taken under color of law. Id at 2.

On *de novo* review and determination, Plaintiff's objections lack merit. Plaintiff filed her fifth amended complaint on April 14, 2025. Dkt 15. She was thus required by Rule 4(m) to perfect service by July 14, 2025. Still no Defendant has been served. And Plaintiff—not the United States Marshals nor the Court—is the party responsible for perfecting service and prosecuting her case.

Th allegations contained within the complaint also fail to state a cognizable claim for relief. Plaintiff presents conclusory allegations as to violation of her constitutional rights. See Dkt 15 at 1–28. The assertions contained therein fail to make out a facially plausible claim for relief under federal or state law. And Plaintiff has had notice of the Court's intent to dismiss this action and an opportunity to respond such that *sua sponte* dismissal isn't procedurally unfair. See *Anokwuru v City of Houston*, 990 F3d 956, 967 (5th Cir 2021).

No clear error otherwise appears upon review and consideration of the Memorandum and Recommendation, the record, and the applicable law.

The objections by Plaintiff Jan Elizabeth Lightfoot to the Memorandum and Recommendation of the Magistrate Judge are OVERRULED. Dkt 30.

The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 29.

This action is DISMISSED WITH PREJUDICE.

The motions by Plaintiff Jan Elizabeth Lightfoot for leave to file seventh amended petition and for permission to file electronically are DENIED AS MOOT. Dkts 33 & 34.

This is a FINAL JUDGMENT.

SO ORDERED.

Signed on January 22, 2026, at Houston, Texas.

Honorable Charles Eskridge
United States District Judge

United States District Court
Southern District of Texas
ENTERED
December 09, 2025
Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

DR. JAN ELIZABETH LIGHTFOOT, AKA JAN CHRISTOPHER AND JANICE MARIE BANKS, *Plaintiff,*	§	CIVIL ACTION NO. 4:25-CV-0837
V.	§	
OAK BEND MEDICAL CENTER, ET AL., *Defendants.*	§	

MEMORANDUM AND RECOMMENDATION

On February 25, 2025, Plaintiff, proceeding pro se, filed a Complaint against Defendant Oak Bend Medical Center and over 90 other persons and entities as diverse as individual doctors and lawyers, multiple area sheriff's departments, former President Biden, and the Social Security Administration.[1] ECF 1. The Court denied Plaintiff's motion seeking service by a U.S Marshal. ECF 16. Plaintiff filed an interlocutory appeal, which the Fifth Circuit dismissed for want of jurisdiction on November 26, 2025. ECF 27.

The docket reflects that, to date, Plaintiff has not served any Defendant. Under Federal Rule of Civil Procedure 4(m), a court may dismiss a case without

[1] The District Judge referred the case to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(A) and (B), the Cost and Delay Reduction Plan under the Civil Justice Reform Act, and Federal Rule of Civil Procedure 72. ECF 5.

prejudice if the plaintiff does not complete service within 90 days of filing the Complaint. However, for the reasons below, the Court recommends that this case be dismissed with prejudice.

The court possesses the inherent authority to dismiss an action sua sponte without motion by a defendant as long as the procedure is fair. *McCullough v. Lynaugh*, 835 F.2d 1126, 1127 (5th Cir. 1988) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962)); *See Gaffney v. State Farm Fire and Cas. Co.*, 294 Fed. App'x 975, 977 (5th Cir. 2008) (recognizing inherent authority to dismiss sua sponte for failure to state a claim as long as the procedure employed is fair). Generally, the sua sponte dismissal procedure is fair if the plaintiff had notice of the court's intention to dismiss and an opportunity to respond. *Davoodi v. Austin Indep. Sch. Dist.*, 755 F.3d 307, 310 (5th Cir. 2014) ("fairness in this context requires both notice of the court's intention and an opportunity to respond" (citation omitted)); *Anokwuru v. City of Houston*, 990 F.3d 956, 967 (5th Cir. 2021). The procedure for sua sponte dismissal in this case is fair because this Memorandum and Recommendation puts Plaintiff on notice of the Court's intention and Plaintiff has 14 days to file an objection and explain why his case should be allowed to proceed. *See Anokwuru*, 990 F.3d at 967 (plaintiff that filed objections to magistrate judge's recommendation undoubtedly had notice and opportunity to respond before dismissal).[2]

[2] In the alternative, at the discretion of the District Judge, the Court recommends dismissal be without prejudice for failure to prosecute because Plaintiff has not perfected service. *Davoodi*, 755 F.3d at 310 n.1 (the Fifth Circuit

Plaintiff's Fifth Amended Complaint[3] fails to state a cognizable claim for relief and is patently frivolous. To survive a Rule 12(b)(6) motion to dismiss, the plaintiff must plead "enough facts to state a claim to relief that is plausible on its face." *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007). "A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the conduct alleged." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009); *Gonzalez v. Kay*, 577 F.3d 600, 603 (5th Cir. 2009).

Plaintiff's lengthy and conclusory factual allegations date back to her report of a criminal sexual assault in 2016 and culminate with allegations of fraudulent medical billing in 2025. *See* ECF 15 at 14-18. Plaintiff asserts claims for violation of her constitutional rights through, among other things, her unlawful commitment in 2018; a "life-threatening conspiracy" to murder her through the forced administration of pharmaceutical drugs to treat schizophrenia; fraud and falsification of records by multiple individuals and entities, including the Department of Labor, Social Security Administration, and various medical providers; medicare fraud; and civil RICO violations. *See generally* ECF 15. Plaintiff's allegations do not state a plausible claim for relief under any federal or state law.

Therefore, the Court RECOMMENDS that the District Judge sua sponte

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recognizes an exception to the need to notice and opportunity to respond if dismissal is without prejudice).

[3] The Court deemed Plaintiff's Fifth Amended Complaint to be her operative pleading in this case. ECF 24.

dismiss this case with prejudice pursuant to Federal Rule of Civil Procedure 12(b)(6).

The Clerk of the Court shall send copies of the memorandum and recommendation to the respective parties, who will then have fourteen days to file written objections, pursuant to 28 U.S.C. § 636(b)(1)(C). Failure to file written objections within the time period provided will bar an aggrieved party from attacking the factual findings and legal conclusions on appeal. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en banc), superseded by statute on other grounds.

Signed on December 09, 2025, at Houston, Texas.

Christina A. Bryan
United States Magistrate Judge