FILED
United States Court of Appeals
Tenth Circuit

September 4, 2026

Christopher M. Wolpert
Clerk of Court

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

ANDREW JOHNATHAN WILLIAMS,

Plaintiff - Appellant,

v.

KYLE R. CRANE, in his official capacity as Guardian ad Litem and in his individual capacity; JOANN WOLTMAN, District Judge, Johnson County District Court, in her official capacity; THE LAYNE PROJECT, a Kansas corporation; TIM BIANCO, in his official capacity as county therapist for Johnson County Mental Health and in his individual capacity; ANGIE SWETNAM,

Defendants - Appellees.

No. 25-3211
(D.C. No. 2:25-CV-02338-HLT-TJJ)
(D. Kan.)

ORDER AND JUDGMENT*

Before **TYMKOVICH**, **MATHESON**, and **PHILLIPS**, Circuit Judges.

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* After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist in the determination of this appeal. *See* Fed. R. App. P. 34(a)(2); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument. This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

Plaintiff Andrew Johnathan Williams, appearing pro se,[1] appeals the district court's dismissal of his federal lawsuit seeking injunctive, declaratory, and monetary relief related to a Kansas domestic relations case involving child custody issues. Exercising jurisdiction under 28 U.S.C. § 1291, we affirm.

I. BACKGROUND

A. *Factual Background*[2]

Mr. Williams is a party to a domestic relations proceeding in the District Court of Johnson County, Kansas ("the Kansas case"). "[T]he publicly available docket in the . . . [Kansas] case shows the matter primarily involves issues of child custody" regarding Mr. Williams' minor daughter. R. Vol. 2 at 65.

Judge JoAnn Woltman was the presiding judge in the Kansas case. Kyle Crane served as the guardian ad litem ("GAL"). Mr. Crane informed Judge Woltman "he would in part rely on a report created by" The Layne Project, a private, for-profit third-party agency, "in making his recommendation . . . regarding parenting time." R. Vol. 2 at 66. Judge Woltman "allegedly stated she would rely on [Mr.] Crane's recommendations when determining [Mr. Williams's] parenting time." *Id.* She "ultimately restricted" Mr. Williams "to supervised-only contact" with his daughter. R. Vol. 1 at 29. Judge Woltman and Mr. Crane also retained Tim Bianco, a licensed

[1] Because Mr. Williams is proceeding pro se, we afford his pleadings a liberal construction, but we do not advocate on his behalf. *See Garrett v. Selby Connor Maddux & Janer*, 425 F.3d 836, 840 (10th Cir. 2005).

[2] This factual background is based on the allegations in the complaint and, in part, on the magistrate judge's summary of those allegations.

therapist employed by Johnson County Mental Health, to help determine whether, when, and under what conditions Mr. Williams could engage in therapy with his daughter. Mr. Crane allegedly also relied on communications from Angie Swetnam, a therapist employed at Kansas City Counseling, "to justify ongoing restrictions on contact between [Mr. Williams] and his . . . daughter." *Id.* at 721. According to Mr. Williams, he has been threatened with civil contempt for defending himself in the Kansas case.

B. *Procedural Background*

Mr. Williams initiated these federal court proceedings by filing a pro se civil complaint under 42 U.S.C § 1983 against Mr. Crane, Judge Woltman, The Layne Project, and Mr. Bianco, asserting First and Fourteenth Amendment violations based on actions in the Kansas case. The complaint sought declaratory relief, injunctive relief of various forms, monetary damages, costs and fees. In particular, it sought sought the removal of Judge Woltman and Mr. Crane from the Kansas case and an order "prohibiting The Layne Project's unilateral conduct." R. vol. 1 at 93. Mr. Williams filed a supplemental complaint adding Ms. Swetnam as a defendant. He also moved under 28 U.S.C. § 1915 to proceed without prepayment of fees.

The magistrate judge screened Mr. Williams's supplemental complaint under 28 U.S.C. § 1915(e)(2) and issued a report and recommendation recommending that the district court (1) apply the *Younger* abstention doctrine and decline to exercise jurisdiction over the claims for equitable relief; (2) dismiss all claims for monetary damages against Judge Woltman and Mr. Crane as barred by Eleventh Amendment

and quasi-judicial immunity; (3) dismiss all claims against Mr. Crane, The Layne Project, Mr. Bianco, and Ms. Swetnam for failure to state a claim; and (4) dismiss Mr. Williams's conspiracy claims against all defendants for failure to state a claim.

Mr. Williams filed objections to the report and recommendation. He argued that "[e]ach recommendation [wa]s legally and factually erroneous." R. Vol. 2 at 89. He also asserted numerous specific objections to each recommendation.

The district court adopted the recommendations and dismissed Mr. Williams's claims against all defendants without prejudice "for failure to state a claim and for lack of subject matter jurisdiction." *Id.* at 131.

II. DISCUSSION

Mr. Williams appears to argue on appeal that the district court erred in dismissing (1) his claim for prospective declaratory relief against Judge Woltman, and (2) his claims against the remaining defendants. He ultimately "requests that this Court reverse the district court's judgment in full, vacate the dismissal of all claims, and remand for further proceedings." Aplt. Br. at 28.

A. Younger *Abstention*

We review de novo the district court's application of the *Younger* doctrine to abstain from exercising jurisdiction over Mr. Williams' claims for equitable relief. *Elna Sefcovic, LLC v. TEP Rocky Mtn., LLC*, 953 F.3d 660, 669 (10th Cir. 2020). [3]

[3] Mr. Williams argues the district court "failed to address [his] standalone claim for prospective declaratory relief against Judge Woltman," Aplt. Br. at 12, but that claim is one of the equitable claims over which the district court declined to exercise jurisdiction.

The *Younger* doctrine "provides that a federal court must abstain from deciding a case otherwise within the scope of its jurisdiction in 'certain instances in which the prospect of undue interference with state proceedings counsels against federal relief.'" *Id.* at 669-70 (quoting *Sprint Commc'ns, Inc. v. Jacobs*, 571 U.S. 69, 72 (2013)). The Supreme Court has limited *Younger*'s application to (1) criminal prosecutions, (2) certain "civil enforcement proceedings," and (3) "civil proceedings involving certain orders that are uniquely in furtherance of the state courts' ability to perform their judicial functions," *New Orleans Pub. Serv., Inc. v. Council of the City of New Orleans*, 491 U.S. 350, 368 (1989), which have come to be known as the "*Sprint* categories."

"If and only if the state court proceeding falls within one of the" *Sprint* categories "*may* courts analyze the propriety of abstention under the so-called *Middlesex* conditions." *Travelers Cas. Ins. Co. of Am. v. A-Quality Auto Sales, Inc.*, 98 F.4th 1307, 1317 (10th Cir. 2024); *see Middlesex Cnty. Ethics Comm. v. Garden State Bar Ass'n*, 457 U.S. 423, 432–35 (1982). "Those conditions ask whether there is (1) an ongoing state judicial . . . proceeding, (2) the presence of an important state interest, and (3) an adequate opportunity to raise federal claims in the state proceedings." *Travelers*, 98 F.4th at 1317 (internal quotation marks omitted).

We agree with the district court that this case fits the third *Sprint* category. Although Mr. Williams characterizes the Kansas state case as a "private child-custody matter [that] fits none of Sprint's narrow categories," Aplt. Br. at 8, his federal complaint asked the district court for relief that would have substantially

interfered with "the regular operation of [the Kansas] judicial system" to enforce Kansas case child-custody orders and to hold Mr. Williams in contempt for his failure to comply with those orders. *Juidice v. Vail*, 430 U.S. 327, 335 (1977).

In particular, his complaint asked the district court to (1) "[p]rohibit continued enforcement of parenting time restrictions imposed" in the Kansas case, R. Vol. 1 at 17; (2) "[e]njoin Judge . . . Woltman from presiding over any future proceedings," *id.*; (3) "[r]emove" Mr. Crane as GAL "and bar [his] further participation in the [Kansas] case", *id.* at 18; (4) "[p]rohibit" Mr. Crane and the Kansas court "from relying on reports or recommendations by The Layne Project or therapist Tim Bianco," *id.* at 19; (5) "[r]equire judicial notice of [Mr. Williams'] verified affidavits and evidence of parental alienation," *id.* at 20; and (6) "[p]rohibit enforcement of parenting restrictions based on [Mr. Williams'] financial status, including inability to pay GAL or Layne Project fees, which have been imposed" by the Kansas court, *id.*[4]

We also agree with the district court that the *Middlesex* conditions favored abstention. First, despite Mr. Williams' arguments to the contrary, the Kansas court proceedings are ongoing.[5] Second, the district court concluded, and Mr. Williams

[4] Mr. Williams is correct that in *Covington v. Humphries*, No. 24-1158, 2025 WL 1448661 (10th Cir. May 19, 2025), we concluded that an underlying state domestic relations proceeding did not "fit the *Sprint* categories." *Id.* at *5. But the plaintiff in *Covington* sought only damages and, unlike Mr. Williams, did not seek to enjoin or otherwise interfere in the state domestic relations proceeding. *Id.* at *1.

[5] The district court speculated "that the parties may have resolved the" Kansas case after the magistrate judge issued the report and recommendation. R. Vol. 2 at 121 n.5. But our independent review of the electronic docket sheet in the Kansas case indicates that it remains pending. *See In re Marriage of Andrew Jonathan*

does not dispute, that the Kansas court proceedings implicate an important state interest. *See Hunt v. Lamb*, 427 F.3d 725, 727 (10th Cir. 2005) ("It is well-established that federal courts lack jurisdiction over 'the whole subject of the domestic relations of husband and wife, and parent and child.'") (quoting *Ankenbrandt v. Richards*, 504 U.S. 689, 703 (1992)). Third, Mr. Williams has failed to show that he has not had an adequate opportunity to raise his federal claims in the Kansas case or in the Kansas appellate courts. *See Pennzoil Co. v. Texaco, Inc.*, 481 U.S. 1, 15 (1987) ("[W]hen a litigant has not attempted to present his federal claims in related state-court proceedings, a federal court should assume that state procedures will afford an adequate remedy, in the absence of unambiguous authority to the contrary."); *J.B. v. Valdez*, 186 F.3d 1280, 1292 (10th Cir. 1999) ("Plaintiffs bear the burden of proving that state procedural law barred presentation of their [federal] claims in the" state court proceedings); *see also Huffman*, 420 U.S. at 608 (requiring a plaintiff to first exhaust his state appellate remedies).

Williams v. Jessica Sanders, No. 24CV02109 (Dist. Ct. Johnson Cnty., Kan.) (noting last docketed event on June 16, 2026); *see also United States v. Ahidley*, 486 F.3d 1184, 1192 n.5 (10th Cir. 2007) ("we may exercise our discretion to take judicial notice of publicly-filed records in our court and certain other courts concerning matters that bear directly upon the disposition of the case at hand"). And in any event, there is no evidence that Mr. Williams has exhausted his appellate remedies in the Kansas state courts. *See Huffman v. Pursue, Ltd.*, 420 U.S. 592, 608 (1975) (holding "that a necessary concomitant of *Younger* is that a party in appellant's posture must exhaust his state appellate remedies before seeking relief in [federal district court], unless he can bring himself within one of the exceptions specified in *Younger*") We therefore conclude the Kansas case is ongoing.

Mr. Williams argues that he "pleaded well-recognized exceptions" to the *Younger* abstention doctrine, including "Bad faith," "Bias," and "Inadequate forum." Aplt. Br. at 8-9. We have recognized exceptions to *Younger* abstention when "a pending state criminal prosecution . . . was (1) commenced in bad faith or to harass, (2) based on a flagrantly and patently unconstitutional statute, or (3) related to any other such extraordinary circumstances creating a threat of irreparable injury both great and immediate." *Phelps v. Hamilton*, 59 F.3d 1058, 1063-64 (10th Cir. 1995) (quotations omitted). But Mr. Williams has presented no authority showing that these exceptions apply outside of the criminal context.

Mr. Williams also argues the exception in *Ex parte Young*, 209 U.S. 123 (1908), applies and allows his claim for declaratory relief against Judge Woltman to proceed. But *Ex parte Young* pertains only to Eleventh Amendment sovereign immunity, not to *Younger* abstention. *See Va. Office for Prot. and Advocacy v. Stewart*, 563 U.S. 247, 254 (2011); *Sanchez v. Torrez*, 173 F.4th 1202, 1218 (10th Cir. 2026). Moreover, the exception is inapplicable here because it "does not normally permit federal courts to issue injunctions against state-court judges or clerks." *Whole Woman's Health v. Jackson*, 595 U.S. 30, 39 (2021).

We conclude the district court did not err in applying *Younger* to abstain from exercising jurisdiction over Mr. Williams' claims for equitable relief.

B. *Immunity*

We review de novo the district court's application of Eleventh Amendment and quasi-judicial immunity. *See Free Speech Coal., Inc. v. Anderson*, 119 F.4th

732, 735 (10th Cir. 2024) (Eleventh Amendment immunity); *Guttman v. Khalsa,* 446 F.3d 1027, 1033 (10th Cir. 2006) (quasi-judicial immunity).

1. Eleventh Amendment Immunity

The Eleventh Amendment states, "The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State." U.S. Const. amend. XI. "The ultimate guarantee of the Eleventh Amendment is that nonconsenting States may not be sued by private individuals in federal court." *Bd. of Trustees of Univ. of Ala. v. Garrett*, 531 U.S. 356, 363 (2001). This privilege extends to arms of the state and state officials who are sued in their official capacity. *See Peterson v. Martinez*, 707 F.3d 1197, 1205 (10th Cir. 2013). "Eleventh Amendment immunity applies regardless of whether a plaintiff seeks declaratory or injunctive relief, or money damages." *Steadfast Ins. Co. v. Agric. Ins. Co.*, 507 F.3d 1250, 1252 (10th Cir. 2007).

We agree with the district court that Judge Woltman was entitled to Eleventh Amendment immunity because she was sued only in her official capacity.[6] Mr. Williams argues that the exception outlined in *Ex parte Young*, 209 U.S. 123

[6] In light of the district court's decision to abstain under *Younger* from exercising jurisdiction over Mr. Williams's claims for equitable relief, Eleventh Amendment immunity served as an alternate basis for dismissing Mr. Williams's claims for equitable relief against Judge Woltman. Also, if Judge Woltman had been sued in her individual capacity, she would have been entitled to absolute judicial immunity.

(1908), applies and allows his claim for prospective declaratory relief against Judge Woltman to proceed. But *Ex parte Young* provides only a limited exception to Eleventh Amendment immunity for suits seeking "prospective injunctive relief to prevent a continuing violation of federal law." *Green v. Mansour*, 474 U.S. 64, 68 (1985). And as noted above, it "does not normally permit federal courts to issue injunctions against state-court judges or clerks." *Whole Woman's Health v. Jackson*, 595 U.S. 30, 39 (2021).

2. Quasi-judicial Immunity

"Absolute immunity has long been available to protect judges from liability for acts performed in their judicial capacity." *Dahl v. Charles F. Dahl, M.D., P.C. Defined Ben. Pension Trust*, 744 F.3d 623, 630 (10th Cir. 2014). "Over time the defense has been extended to certain others who perform functions closely associated with the judicial process." *Id.* (quotations omitted). This "is often called quasi-judicial immunity when it is applied to someone other than a judge." *Id.*

We agree with the district court that Mr. Crane was entitled to quasi-judicial immunity to the extent he was sued by Mr. Williams in his individual capacity for damages.[7] "There is widespread recognition that guardians ad litem are entitled to the defense." *Id.*

[7] Mr. Williams's complaint purported to sue Mr. Crane in both his official and individual capacities. But as the district court correctly noted, it has long been established that "a guardian ad litem is not acting under color of state law for purposes of § 1983." *Meeker v. Kercher*, 782 F.2d 153, 155 (10th Cir. 1986). Thus, Mr. Williams's purported official capacity claims against Mr. Crane lack merit.

We likewise conclude that Mr. Bianco, a mental health professional, who effectively served in the Kansas case as a custody evaluator, was entitled to quasi-judicial immunity. *See Hughes v. Long*, 242 F.3d 121, 126-28 (3d Cir. 2001)[8]

C. *Failure to state a claim*

We review de novo a district court's decision to dismiss a complaint under 28 U.S.C. § 1915(e)(2) for failure to state a claim. *Kay v. Bemis*, 500 F.3d 1214, 1217 (10th Cir. 2007). "Dismissal of a pro se complaint for failure to state a claim is proper only where it is obvious that the plaintiff cannot prevail on the facts he has alleged and it would be futile to give him an opportunity to amend." *Id.* (quotations omitted).

"A claim pleaded under § 1983 requires (1) deprivation of a federally protected right by (2) an actor acting under color of state law." *VDARE Found. v. City of Colo. Springs*, 11 F.4th 1151, 1160 (10th Cir. 2021) (quotations omitted). "Because the second element requires an actor to act under color of state law, the only proper defendants in a Section 1983 claim are those who represent the state in some capacity, whether they act in accordance with their authority or misuse it." *Id.* (quotations omitted).

[8] The district court mistakenly concluded that Mr. Bianco was a private actor. Mr. Williams's complaint alleges that Mr. Bianco was employed by a county agency. In light of this allegation, we affirm the district court's dismissal of the claims against Mr. Bianco on the alternative ground of quasi-judicial immunity. *See United States v. Davis*, 339 F.3d 1223, 1227 (10th Cir. 2003) ("An appellate court will affirm the rulings of the lower court on any ground that finds support in the record, even where the lower court reached its conclusions from a different or even erroneous course of reasoning." (brackets and internal quotation marks omitted)).

Because Mr. Williams's complaint alleges that The Layne Project and Ms. Swetnam are private actors, he must satisfy one of the "four tests delineated by the Supreme Court to determine whether private parties should be deemed state actors when conducting a state action analysis: (1) the nexus test, (2) the symbiotic-relationship test, (3) the joint-action test, and (4) the public-function test." *Id.* We agree with the district court that Mr. Williams's complaint failed to state claims for relief under § 1983 against The Layne Project and Ms. Swetnam.

Mr. Williams's complaint alleges The Layne Project is "a state-contracted entity tasked with supervising parenting time" that "submitted reports" in the Kansas case. R. Vol. 1 at 10. But nothing in the complaint alleges that the State of Kansas (or the District Court of Johnson County) makes decisions for The Layne Project or controls its operations. Nor does the complaint allege that The Layne Project fails to exercise independent judgment in supervising parenting time.

The complaint alleges that The Layne Project acted "in concert with" Mr. Crane and Judge Woltman. *Id.* at 11. But that allegation is too vague and conclusory to satisfy the joint-action test. *See Gallagher v. Neil Young Freedom Concert*, 49 F.3d 1442, 1453-56 (10th Cir. 1995) (discussing the joint-action test). The complaint lacks any allegation that The Layne Project entered into an agreement or understanding with Mr. Crane or Judge Woltman to engage in a particular course of action. *See id.*

As for Ms. Swetman, Mr. Williams's supplemental complaint alleged that she "made statements or issued oral or written communications to [Mr.] Crane which are

being relied upon . . . to justify ongoing restrictions on contact between [Mr. Williams] and his minor daughter." R. Vol. 1 at 721. These vague allegations do not show Ms. Swetman was a state actor.

III. CONCLUSION

We affirm the district court's judgment.

Entered for the Court

Scott M. Matheson, Jr.
Circuit Judge