

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

September 1, 2026

Christopher M. Wolpert
Clerk of Court

MARGIE M. RENFRO; CHRISTOPHER
RENFRO,

Plaintiffs - Appellants,

v.

DELBERT JENNINGS; KIMBERLY
JENNINGS; SARAH HARPER; RUSTY
HARPER; PATRICIA COVINGTON,

Defendants - Appellees,

and

DOES 1-10,

Defendants.

No. 25-7063
(D.C. No. 6:23-CV-00336-JFH-GLJ)
(E.D. Okla.)

ORDER AND JUDGMENT*

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

After Arnie Bell Jennings died, her daughter and grandson sued some of her other relatives, raising claims under Oklahoma law through diversity jurisdiction.

* 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 This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel.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.

The district court dismissed the claims without prejudice. In doing so, the court held that allowing Plaintiffs to amend their complaint a second time would be futile.

We review the district court's decisions de novo. *See Young v. Colo. Dep't of Corr.*, 174 F.4th 1283, 1285 (10th Cir. 2026) (failure to state a claim); *Thornton v. Tyson Foods, Inc.*, 28 F.4th 1016, 1021 (10th Cir. 2022) (futility of amendment). To withstand a motion to dismiss, a complaint "must contain 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 omitted). "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 misconduct alleged." *Id.*

The complaint alleged that Ms. Jennings's relatives convinced her to move to Oklahoma. Once she arrived, Plaintiffs say, the relatives took advantage of her cognitive decline to drain her life savings, acquire her house, and spend her monthly social-security benefits.

The district court concluded that Plaintiffs attempted to raise their first claim under an Oklahoma statute that does not provide a private right of action. Plaintiffs never dispute that conclusion on appeal.¹ They instead tell us that they could bring a proper claim under a different Oklahoma statute, enacted after the district court entered judgment. But our limited role is "to correct errors made by the district court

¹ Plaintiffs represent themselves, so we construe their filings liberally. *See Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991).

in assessing the legal theories presented to it.” *Richison v. Ernest Grp., Inc.*, 634 F.3d 1123, 1130 (10th Cir. 2011). We decline to opine about the viability of claims not included in the complaint.

Plaintiffs’ second claim alleged false imprisonment of Ms. Jennings. The district court concluded that Plaintiffs lacked standing to pursue the claim because neither had been appointed to represent Ms. Jennings’s estate. Although the court appears to have concluded that Plaintiffs lacked Article III standing, its “analysis is clearly rooted in principles of prudential” standing. *VR Acquisitions, LLC v. Wasatch Cnty.*, 853 F.3d 1142, 1146 (10th Cir. 2017). Prudential standing prevents litigants from suing in federal court “to enforce the rights of others.” *RMA Ventures Cal. v. SunAmerica Life Ins.*, 576 F.3d 1070, 1073 (10th Cir. 2009). And so we conclude the court “actually dismissed” for lack of prudential standing. *VR Acquisitions*, 853 F.3d at 1146.

Plaintiffs have shown no error in that dismissal. They point to an Oklahoma case holding that a probate court “may grant leave to a beneficiary to prosecute an action on behalf of the estate.” *McGehee v. Arvest Tr. Co. (In re Est. of Bleeker)*, 168 P.3d 774, 781 (Okla. 2007). But that case offers them no help because they never claimed that they had received permission from the probate court to pursue claims on behalf of Ms. Jennings’s estate.

The court dismissed Plaintiffs’ third claim, alleging grand larceny, after concluding that the state criminal statute created no private cause of action. Plaintiffs contend the court should have treated this claim as one alleging civil conversion. But

that would have done Plaintiffs no good. Indeed, their fourth claim actually alleged conversion, and the district court dismissed it because any claim alleging misuse of Ms. Jennings's property before her death could be brought only by her estate's representative. Plaintiffs have shown no error in that reasoning.

Plaintiffs' final claim alleged fraud and conspiracy to commit fraud. The district court dismissed the claim because Plaintiffs failed to allege facts showing that any particular defendant did anything that might constitute fraud. On appeal, Plaintiffs identify nothing in their complaint undermining the district court's ruling.

They do, however, argue that they should be allowed to obtain more information through discovery. But a plaintiff is "entitled to discovery" only if the complaint states a valid claim. *Iqbal*, 556 U.S. at 686.

Although Plaintiffs insist the district court should have allowed another amendment to the complaint, they never identify any specific change that might have fixed the problems with it. And so they have shown no error in the court's decision not to allow another amendment.

* * *

The district court's judgment is affirmed.

Entered for the Court

Timothy M. Tymkovich
Circuit Judge