

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals**For the Seventh Circuit****Chicago, Illinois 60604**

Submitted May 10, 2024*

Decided May 10, 2024

BeforeFRANK H. EASTERBROOK, *Circuit Judge*AMY J. ST. EVE, *Circuit Judge*JOHN Z. LEE, *Circuit Judge*

No. 23-3313

GORMIDOU Y. LAVELA,
*Plaintiff-Appellant,*Appeal from the United States District
Court for the Western District of Wisconsin.*v.*

No. 23-cv-481-jdp

AARON M. PELOQUIN,
*Defendant-Appellee.*James D. Peterson,
*Chief Judge.***ORDER**

Gormidou Lavela alleged that his neighbor, Aaron Peloquin, harassed him in violation of the Fair Housing Act, 42 U.S.C. § 3617. The district court dismissed the complaint for failure to state a claim and instructed Lavela that any amended complaint must follow certain enumerated instructions. Lavela amended his complaint but did not

* The appellee was not served with process and is not participating in this appeal. We have agreed to decide the case without oral argument because the appellant's brief and the record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. *See* FED. R. APP. P. 34(a)(2)(C).

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follow those instructions. The court then dismissed the case for failure to comply with the court's order and for failure to state a claim. We affirm.

Lavela, who is Black, objects to two interactions that he had with his neighbor Peloquin, who is white. First, Lavela alleges, Peloquin yelled expletives at him in front of their apartment building "for no justifiable reasons." Then three months later, Lavela alleges, he was walking down a shared hallway in their building when he spotted and "locked eyes" with Peloquin, who then confronted him. Upon telling Peloquin that he had "the right to look at anybody," Lavela says that Peloquin threatened to attack him.

The district court dismissed the complaint for failure to state a claim. The court emphasized that although the Fair Housing Act protects individuals from a pattern of racial harassment, it does not reach isolated disputes between neighbors. The court permitted Lavela to amend his complaint but warned him that if he failed to comply with the court's instructions for doing so, his case could be dismissed. The court instructed Lavela, for example, to use the court's complaint form and limit his allegations to those fitting within the form and five supplemental pages.

After Lavela filed a noncompliant amended complaint, spanning 13 pages, the court dismissed the case. The court explained that Lavela did not comply with its instructions or state a claim upon which relief may be granted. As the court pointed out, Lavela continued to allege isolated disputes rather than a pattern of harassment, and his assertion that Peloquin acted with racial animus continued to be conclusory.

On appeal, Lavela contests only the court's first ground for dismissing his case, the failure to follow the court's order. But setting aside any dispute that he has with the court's instructions for amendment, his case may not proceed because he failed to state a claim. *See* FED. R. CIV. P. 8(a). The Fair Housing Act prohibits a "pattern of harassment, invidiously motivated"; it does not prohibit a "quarrel among neighbors" or "isolated act[s] of discrimination." *Bloch v. Frischholz*, 587 F.3d 771, 783 (7th Cir. 2009) (en banc) (quoting *Halprin v. Prairie Single Fam. Homes of Dearborn Park Ass'n*, 388 F.3d 327, 330 (7th Cir. 2004)); *see also Watters v. Homeowners' Ass'n at Preserve at Bridgewater*, 48 F.4th 779, 786 (7th Cir. 2022) ("[I]solated acts of racial animus are not enough."). Because Lavela's allegations concerning the two isolated incidents did not give rise to a plausible inference that Peloquin was motivated by racial animus, the district court properly dismissed the complaint.

AFFIRMED