

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION

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MORRIS CLEVELAND,

*Plaintiff,*

v.

RAYMOND GEORGE *et al.*,

*Defendants.*

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CIVIL ACTION NO.  
3:26-cv-00025-TES

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ORDER REMANDING CASE NUMBER 25HV00423

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Pro se Plaintiff Morris Cleveland filed a Complaint on March 4, 2026, where he asserts constitutional violations under 42 U.S.C. § 1983. [Doc. 1, p. 2]. One month later, Plaintiff filed a Notice of Removal—still in the same federal action as his § 1983 Complaint—from Hart County Superior State Court. [Doc. 36]. Defendants Phelps, Langley, Mahaffey, George, Fry, Wasserman, Hunt, Whetsel, and McFarlin filed a Response to Plaintiff’s Notice of Removal. [Doc. 42].

It is unclear whether Plaintiff is a defendant in the state court case, and therefore whether he is able to remove the case at all. 42 U.S.C. § 1446(a) (stating that only a “defendant or defendants” may remove). It is unclear because Plaintiff did not attach “a copy of all process, pleadings, and orders served upon” him in state court to his Notice of Removal. 28 U.S.C. § 1446(a). If he is not a defendant in the state court action, he cannot remove it here.

More importantly, though, the Court lacks subject matter jurisdiction over the removed case. Plaintiff has attempted to remove a state child support enforcement action. [Doc. 42, p. 1]. But federal courts do not have jurisdiction over child support actions. *Moussignac v. Georgia Dep't of Hum. Res.*, 139 F. App'x 161, 162 (11th Cir. 2005) (affirming dismissal of child support action because the “federal judiciary has traditionally abstained from deciding cases concerning domestic relations.”). So, for this reason and many others, the Court cannot hear Plaintiff’s removed case.

### **CONCLUSION**

Accordingly, the Court **REMANDS** case number 25HV00423 back to the Hart County Superior State Court.

**SO ORDERED**, this 24th day of April, 2026.

S/ Tilman E. Self, III  
**TILMAN E. SELF, III, JUDGE**  
**UNITED STATES DISTRICT COURT**