

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 25-2588

RACHEL ALINTOFF, individually and as legal parent for the minor child H.A.,
Appellant

v.

STATE OF NEW JERSEY; ADMINISTRATIVE OFFICE OF THE COURTS; CARMEN DIAZ-PETTI,
in her official capacity of DCP&P/Assistant Commissioner of the New Jersey Department of Children & Families (DCF); CHRISTINE NORBUT BEYER, in her official capacity as the Commissioner of DCF; DEPARTMENT OF CHILDREN & FAMILIES; et al.

On Appeal from the U.S. District Court, D.N.J.
Judge Edward S. Kiel, No. 1:23-cv-02671

Before: HARDIMAN, BIBAS, and RENDELL, *Circuit Judges*
Submitted: Sept. 18, 2026; Filed: Sept. 18, 2026

NONPRECEDENTIAL OPINION*

BIBAS, *Circuit Judge*. Rachel and Bryan Alintoff married and had a son, H.A. Then Bryan filed for divorce in New Jersey Superior Court, but the proceedings ran on for more than a decade. During that time, Rachel encountered a host of issues. She has accused Bryan of sexual assault, child abuse, and interference with her custody of H.A. She has gotten a protective order against Bryan, but prosecutors have declined to bring charges. H.A. has autism and ADHD, but despite Rachel's efforts, the New Jersey courts have not given him the therapy that she thinks he needs. Lastly, Rachel feels that the New Jersey courts have failed to accommodate H.A.'s autism, and her own PTSD, throughout her divorce proceedings. She believes that the courts should have given H.A. a speech pathologist and her live transcription services to help them both communicate in court.

*This is not an opinion of the full Court and, under 3d Cir. IOP 5.7, is not binding precedent.

Rachel is thus unhappy with how state courts, judges, and court officials have handled her divorce proceedings, which are still pending on appeal.

So Rachel sued New Jersey, its child-welfare agencies and workers, its judges and court officials, and her ex-husband and his lawyer in federal court. (Her federal complaint also named a few other individuals, such as two New Jersey prosecutors, but those claims are forfeited because she does not pursue them on appeal.) She claims disability discrimination and failure to accommodate under the Americans with Disabilities Act and the Rehabilitation Act, as well as violations of the First and Fourteenth Amendments, seeking declaratory, injunctive, and monetary relief under 42 U.S.C. § 1983. She also brings state-law claims for retaliation, abuse of process, and civil conspiracy. After letting her amend her pleading once, the District Court dismissed all federal claims with prejudice for lack of subject-matter jurisdiction and failure to state a claim, and declined to exercise supplemental jurisdiction over the state-law claims. We review its dismissal *de novo*. *Bah v. United States*, 91 F.4th 116, 119 (3d Cir. 2024). We accept all well-pleaded facts and reasonable inferences from them as true but disregard conclusory assertions, asking whether Rachel’s claims are plausible on their face. *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009).

The District Court properly dismissed all claims. The Eleventh Amendment generally bars her claims for money damages against the state agencies, departments, and officials in their official capacities. *Pennhurst State Sch. & Hosp. v. Halderman*, 465 U.S. 89, 100–01 (1984). Plus, absolute judicial immunity bars her suit against the state courts, judges, and court officials for their judicial acts. *Stump v. Sparkman*, 435 U.S. 349, 356–57 (1978).

Rachel tries to get around sovereign immunity by seeking prospective relief, but she does not plausibly plead any ongoing or future violations that are likely to recur (particularly since her son will reach the age of majority in one year). And even though some damages claims under the ADA can overcome sovereign immunity, Rachel does not plausibly plead one. *See, e.g., Tennessee v. Lane*, 541 U.S. 509, 533–34 (2004). She mentions past difficulties getting transcripts and recordings, but it is hard to decipher who did what and why. *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 556 (2007). As for her claims against her ex-husband and his lawyer, the ADA does not apply to them, and her complaint lacks sufficient facts to make out a conspiracy claim for any alleged constitutional violations. *See* 42 U.S.C. §§ 12132, 12182; *Great W. Mining & Min. Co. v. Fox Rothschild LLP*, 615 F.3d 159, 178–79 (3d Cir. 2010) (noting that to state a claim for conspiracy, a plaintiff must show plausible grounds for a court to infer an agreement).

Rachel cannot use a federal lawsuit as “an ongoing federal audit” of state-court litigation. *O’Shea v. Littleton*, 414 U.S. 488, 500 (1974). We will thus AFFIRM.