

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 25-3301

TROY LAMONT MOORE, SR.,
Appellant

v.

C.O. SAAJIDA WALTON

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. Civil Action No. 2:14-cv-03873)
District Judge: Honorable Gerald J. Pappert

Submitted for Possible Dismissal Pursuant to 28 U.S.C. § 1915(e)(2)(B) or
Summary Action Pursuant to Third Circuit LAR 27.4 and I.O.P. 10.6
August 27, 2026

Before: SHWARTZ, FREEMAN, and CHUNG, *Circuit Judges*

(Opinion filed: September 3, 2026)

OPINION*

PER CURIAM

* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

Troy Moore, Sr., proceeding pro se and in forma pauperis, appeals from the District Court's order granting summary judgment in favor of the appellee and denying his motion for summary judgment. We will summarily affirm.

I.

In June 2014, Moore filed a 42 U.S.C. § 1983 lawsuit against prison officials arising out of a 2013 incident when his prison cell toilet overflowed at night and covered him and his cell in human waste, after which he was not allowed out of his cell until the next morning. Roughly a year and a half later, in February 2016, Moore amended his complaint. Moore corrected the spelling of Walton's last name and named her as the sole defendant.¹ Service on Walton was made in May 2017, almost three years after Moore originally filed the lawsuit. The District Court subsequently granted Walton's motion for summary judgment on statute of limitations grounds and denied Moore's motion for summary judgment.

Moore then appealed to this Court. On appeal, we considered the time limit for when an amended complaint can relate back to an initial complaint under Rule 15(c)(1)(C) of the Federal Rules of Civil Procedure. *Moore v. Walton*, 96 F.4th 616, 619 (3d Cir. 2024). We held that Rule 15(c)(1)(C)'s timeline includes extensions for good cause granted under Federal Rule of Civil Procedure 4(m). *Id.* In so holding, we also determined that Walton needed to have received notice of the complaint by December 17, 2015. *Id.* at 627. We vacated the District Court's order granting summary judgment in

¹ Walton's name was later revised in December 2016 to include her first name.

favor of Walton and dismissing Moore’s motion for summary judgment, *Moore*, 96 F.4th at 628. We directed the District Court to consider three narrow questions: “(1) whether Walton received notice of the action by December 17, 2015, and if so (2) whether Moore can demonstrate the absence of prejudice—the final element necessary to satisfy the relation back inquiry, and if so (3) the merits of Moore’s Eighth Amendment claim.” *Id.*

On remand, the District Court granted discovery to facilitate answers to these questions. Moore, who was represented by counsel at the time, then moved for sanctions against a former City of Philadelphia Law Department (“Law Department”) attorney, Aaron Shotland; the Law Department generally; and Walton. In his motion, Moore alleged that Shotland failed to adequately investigate facts prior to signing filings that averred and denied facts and that it was Law Department policy to sign filings without talking with defendants. After briefing and oral argument, the District Court denied the motion.

After discussion with the parties at oral argument about how to proceed with the Third Circuit’s questions, the District Court ordered supplemental briefing. After the parties briefed the issues, the District Court granted Walton’s motion for summary judgment and denied Moore’s.

II.

We have jurisdiction under 28 U.S.C. § 1291. We exercise plenary review over the District Court’s grant of summary judgment. *Blunt v. Lower Merion Sch. Dist.*, 767 F.3d 247, 265 (3d Cir. 2014). Summary judgment is appropriate if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment

as a matter of law. Fed. R. Civ. P. 56(c). Generally, we review an appeal of Rule 11 sanctions determinations for abuse of discretion. *Figueroa v. Buccaneer Hotel Inc.*, 188 F.3d 172, 175–76 (3d Cir. 1999). We may summarily affirm if an appeal fails to present a substantial question. *See* 3d Cir. L.A.R. 27.4; I.O.P. 10.6.

III.

Moore conceded in the District Court that there was no evidence that Walton was on actual notice of the case by December 17, 2015. A potential defendant may receive constructive notice if they share an attorney with an originally named party or the two share an identity of interest. *Singletary v. Pennsylvania Dep’t of Corr.*, 266 F.3d 186, 196, 197 (3d Cir. 2001). Under the “shared attorney” method of imputing notice to a new defendant, “the applicable test is not whether new defendants *will* be represented by the same attorney, but rather whether the new defendants *are* being represented by the same attorney.” *Garvin v. City of Philadelphia*, 354 F.3d 215, 223 (3d Cir. 2003) (internal quotations omitted). Here, where Moore solely advances a shared attorney theory of notice,² he did not point to any facts suggesting that Walton was represented by the same attorney as the other defendants by December 17, 2015. The District Court therefore properly found that Walton did not have notice and, as a result, the amended complaint did not relate back and was thus barred by the statute of limitations.

² In support of his appeal, Moore argues Walton received constructive notice of his suit through the shared attorney and identity of interest methods. However, because he did not raise the identify of interest method below, we do not consider this argument on appeal. *See Jenkins v. Superintendent of Laurel Highlands*, 705 F.3d 80, 88 n.12 (3d Cir. 2013).

IV.

Sanctions under Rule 11 are appropriate “only in the exceptional circumstance where a claim or motion is patently unmeritorious or frivolous.” *Doering v. Union Cnty. Bd. of Chosen Freeholders*, 857 F.2d 191, 194 (3d Cir. 1988) (cleaned up). Having reviewed the briefing below and the transcript from oral argument on the issue, we conclude that the District Court did not abuse its discretion in declining to sanction Shotland, the Law Department, and Walton. *See Figueroa*, 188 F.3d at 175–76.

V.

In his document supporting his appeal, Moore alleges that the District Judge was biased against him. In reviewing the record, we discern no evidence of bias or any other reason why the District Judge should have recused himself from this case. *See* 28 U.S.C. § 455.

For these reasons, we will summarily affirm the District Court’s judgment. Moore’s motion for appointment of counsel is denied.