

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 26-1009

OYEKUNLE STEPHEN OYELAKIN,
Appellant

v.

CLERK OF THE PHILADELPHIA FAMILY COURT;
JUDGE LEANNE LITWIN; JUDGE HOLLY FORD;
PHILADELPHIA COUNTY/CITY OF PHILADELPHIA;
ATTORNEY’S OFFICE OF PHILADELPHIA, (“DAO”);
DISTRICT ATTORNEY LAWRENCE KRASNER;
MAURICE YOUKHANNA, Assistant District Attorney;
ERIC J. ASSINI, ESQ., Deputy Court Administrator

On Appeal from the United States District Court
for the Eastern District of Pennsylvania
(D.C. Civil Action No. 2:25-cv-03748)
District Judge: Honorable Mark A. Kearney

Submitted Pursuant to Third Circuit LAR 34.1(a)
September 8, 2026
Before: BIBAS, CHUNG, and BOVE, *Circuit Judges*

(Opinion filed: September 16, 2026)

OPINION*

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

PER CURIAM

Pro se appellant Oyekunle Oyelakin appeals the District Court’s dismissal of his consolidated amended complaint. We will affirm the District Court’s judgment as modified.

I.

This case arises from a child support dispute between Oyelakin and the mother of his child. According to Oyelakin, his child’s mother used fraudulent identities.¹ Oyelakin brought a civil action under 42 U.S.C. § 1983 against several defendants for their roles in perpetuating these allegedly fraudulent identities throughout the court proceedings and post-judgment child support enforcement.² Oyelakin sought monetary, declaratory, and injunctive relief to rectify the defendants’ alleged constitutional violations.

After Oyelakin filed his consolidated amended complaint, the defendants moved to dismiss the amended complaint for, inter alia, lack of subject matter jurisdiction and failure to state a claim. The District Court granted the motions, dismissing Oyelakin’s consolidated amended complaint with prejudice. Oyelakin appealed.

¹ In state court, Oyelakin unsuccessfully argued that the child’s mother listed a fake name (“Olusola Hannah Edward”) on the child’s birth certificate. *See Edward v. Oyelakin*, No. 2144 EDA 2023, 2024 WL 4973113, at *1 (Pa. Super. Ct. Dec. 4, 2024). The court rejected the argument based on the mother’s passport and her testimony that her name was “Olusola Hannah Edward.” *Id.*

² For example, Oyelakin alleged that the defendants “used multiple inconsistent fabricated identities for the child’s mother—including ‘Olusola H. Edward,’ ‘Olusola Hannah Edward,’ ‘Hannah O. Edward,’ and ‘Hannah Edward’—without proper verification” and “labeled the fabricated names ‘a.k.a.’ designations.”

II.

We have jurisdiction under 28 U.S.C. § 1291. We exercise plenary review over the District Court’s dismissal, and we may affirm the District Court’s judgment for any reason supported by the record. *See Bah v. United States*, 91 F.4th 116, 119 (3d Cir. 2024); *Murray v. Bledsoe*, 650 F.3d 246, 247 (3d Cir. 2011) (per curiam).

III.

We start with Oyelakin’s claims against the City of Philadelphia. Oyelakin sought to hold the City liable by alleging that it had a policy to “authoriz[e] and ratif[y] the use of fabricated identities,” and that the City failed to train its “prosecutors, clerks, and judicial officers” in privacy protections and case administration. But Oyelakin pleaded insufficient facts to support these allegations plausibly. *See Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (explaining that, to survive dismissal, a complaint must plead factual content providing “more than a sheer possibility that a defendant has acted unlawfully”). Thus, we will affirm the District Court’s dismissal of Oyelakin’s claims against the City.

For similar reasons, Oyelakin’s claims against the Philadelphia District Attorney’s Office, the District Attorney, and an Assistant District Attorney could not survive dismissal. Oyelakin sued the attorneys only in their official capacities, so those claims amounted to claims against the District Attorney’s Office. *See Kentucky v. Graham*, 473 U.S. 159, 166 (1985). But the District Attorney’s Office is not an entity that can be sued under § 1983. *See Reitz v. Cnty. of Bucks*, 125 F.3d 139, 148 (3d Cir. 1997). To the extent that Oyelakin sought to hold the City of Philadelphia liable for the attorneys’ conduct,

Oyelakin failed to plead specific factual allegations from which we could plausibly infer that an unconstitutional policy or custom caused his alleged constitutional deprivations. *See id.* at 144; *Iqbal*, 556 U.S. at 678.

Oyelakin also brought official-capacity constitutional claims against the Clerk of the Philadelphia Family Court and a Deputy Court Administrator of the First Judicial District of Pennsylvania. Oyelakin alleged that the Family Court Clerk wrongfully altered the mother's name on the court docket, and that the Court Administrator was complicit in violating Oyelakin's rights by characterizing the docket amendment as a "ministerial error." According to Oyelakin, the defendants' conduct caused his personal information to be wrongly associated with fraudulent identities, resulting in privacy violations.

The Family Court Clerk and the First Judicial District's Deputy Court Administrator were entitled to sovereign immunity from the official-capacity claims. *See Jones v. Lilly*, 37 F.3d 964, 966 (3d Cir. 1994) ("[T]he real party in interest in an official capacity suit is not the individual but rather the entity of which the officer is an agent."); *see also Benn v. First Jud. Dist. of Pa.*, 426 F.3d 233, 235 n.1, 238–41 (3d Cir. 2005) (explaining that Eleventh Amendment immunity extends to the Pennsylvania state courts).³ Oyelakin argues that sovereign immunity did not apply because he sought

³ Oyelakin maintains that the defendants were not immune because they performed administrative, not judicial, functions. It appears that Oyelakin is conflating sovereign immunity with quasi-judicial immunity, which attaches only when an individual is exposed to liability through the exercise of judicial functions. *See Russell v. Richardson*, 905 F.3d 239, 247–48 (3d Cir. 2018). Because the District Court did not apply quasi-judicial immunity to resolve these claims, we need not consider the argument further.

prospective declaratory and injunctive relief. *See Merritts v. Richards*, 62 F.4th 764, 771–72 (3d Cir. 2023) (explaining the *Ex parte Young* exception to Eleventh Amendment Immunity). “But for the *Ex parte Young* exception to apply, there must be both an ongoing violation of federal law and a request for relief that can be properly characterized as prospective.” *Id.* at 771. The amended complaint is devoid of any facts from which we could plausibly infer that the Family Court Clerk and the Deputy Court Administrator are continuing to violate federal law. *Cf. id.* at 772 (“Although those earlier actions may have present effect, that does not mean that they are ongoing.”).

Thus, Oyelakin did not meet the *Ex Parte Young* conditions, and the Eleventh Amendment barred Oyelakin from bringing his claims against the Family Court Clerk and the Deputy Court Administrator.⁴ But because a dismissal based on sovereign immunity should be without prejudice, we modify the District Court’s judgment to reflect that the claims against the Family Court Clerk and the Deputy Court Administrator are dismissed without prejudice. *See Merritts*, 62 F.4th at 772.

IV.

Accordingly, we will affirm the District Court’s judgment as modified.

⁴ We are satisfied that, under the circumstances of this case, granting Oyelakin further leave to amend any of his claims would have been futile. *See Grayson v. Mayview State Hosp.*, 293 F.3d 103, 106 (3d Cir. 2002).