

NONPRECEDENTIAL DISPOSITION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 August 25, 2026*

Decided August 25, 2026

Before

AMY J. ST. EVE, *Circuit Judge*

CANDACE JACKSON-AKIWUMI, *Circuit Judge*

JOHN Z. LEE, *Circuit Judge*

No. 25-2196

JAMES SMITH, JR.,
Plaintiff-Appellant,

v.

GWENDOLYN M. HORTH, et al.,
Defendants-Appellees.

Appeal from the United States District
Court for the Southern District of
Indiana, Indianapolis Division.

No. 1:24-cv-00910-JRS-MJD

James R. Sweeney II,
Chief Judge.

ORDER

In 2024, James Smith, Jr., sued for what he alleged was the wrongful revocation of his probation in 2018. The district court screened the complaint, 28 U.S.C. § 1915, construed Smith's claims as brought under 42 U.S.C. § 1983 for violations of his Fourth Amendment rights, and dismissed the claims because, as relevant here, he filed them

* The appellees were not served with process and are not participating in this appeal. We have agreed to decide the case without oral argument because the appeal is frivolous. FED. R. APP. P. 34(a)(2)(A).

well beyond the two-year statute of limitations for personal injury suits in Indiana. *See Devbrow v. Kalu*, 705 F.3d 765, 767 (7th Cir. 2013).

On appeal, Smith's brief and assorted filings reassert the allegations in his complaint but do not engage with the district court's statute of limitations explanation. Although we liberally construe a pro se litigant's arguments, an appellate brief must still challenge the district court's reason for dismissing the case. *See* FED. R. APP. P. 28(a)(8)(A); *Anderson v. Hardman*, 241 F.3d 544, 545–46 (7th Cir. 2001). A brief like Smith's that does not even try to address the reasons he lost "has no prospect of success," *Klein v. O'Brien*, 884 F.3d 754, 757 (7th Cir. 2018), and must be dismissed, *Anderson*, 241 F.3d at 545–46. Smith's brief also suggests that he intends to raise a defamation claim, but he may not raise new claims on appeal. *Gerlach v. Rokita*, 95 F.4th 493, 498 (7th Cir. 2024).

DISMISSED