UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO A SUMMARY ORDER FILED ON OR AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY FEDERAL RULE OF APPELLATE PROCEDURE 32.1 AND THIS COURT'S LOCAL RULE 32.1.1. WHEN CITING A SUMMARY ORDER IN A DOCUMENT FILED WITH THIS COURT, A PARTY MUST CITE EITHER THE FEDERAL APPENDIX OR AN ELECTRONIC DATABASE (WITH THE NOTATION "SUMMARY ORDER"). A PARTY CITING TO A SUMMARY ORDER MUST SERVE A COPY OF IT ON ANY PARTY NOT REPRESENTED BY COUNSEL.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 13th day of November, two thousand twenty-six.

PRESENT:

STEVEN J. MENASHI,
SARAH A. L. MERRIAM,
MATTHEW A. SCHWARTZ,
Circuit Judges.

Hector Gonzalez,

Plaintiff-Appellant,

v. **25-2747**

Port Authority of New York and New Jersey, Parking Customer Service, Inspector General, John/Jane Doe, New York Port Authority Parking Customer Service,

Defendants-Appellees.

FOR PLAINTIFF-APPELLANT: Hector Gonzalez, *pro se*, Brooklyn, NY.

FOR DEFENDANTS-APPELLEES: No appearance.

Appeal from a judgment of the United States District Court for the Eastern District of New York (Cogan, *J.*).

UPON DUE CONSIDERATION, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the judgment of the district court is **AFFIRMED**.

Hector Gonzalez, proceeding *pro se*, appeals from the district court's *sua sponte* dismissal of his action pursuant to 28 U.S.C. § 1915(e)(2)(B). Gonzalez sued the New York Port Authority, the Inspector General's Office of the Port Authority, and JFK Parking Customer Service, alleging that the defendants charged him $11,000 and refused to return his car after he left it in a JFK Airport parking lot for a prolonged period. The district court *sua sponte* dismissed Gonzalez's original complaint without prejudice as barred by the statute of limitations and for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B). *Gonzalez v. N.Y. Port Auth.*, No. 1:25-cv-4770 (BMC), 2025 WL 2605567 (E.D.N.Y. Sept. 9, 2025). After Gonzalez filed an amended complaint and a "clarification" of the amended complaint, the district court *sua sponte* dismissed Gonzalez's case with prejudice pursuant to § 1915(e)(2)(B) for failure to state a claim. We

assume the parties' familiarity with the underlying facts, the procedural history of the case, and the issues on appeal.

"We review *de novo* a district court's dismissal of a complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)." *Milan v. Wertheimer*, 808 F.3d 961, 963 (2d Cir. 2015). Because Gonzalez "has been *pro se* throughout, his pleadings and other filings are interpreted to raise the strongest claims they suggest." *Sharikov v. Philips Med. Sys. MR, Inc.*, 103 F.4th 159, 166 (2d Cir. 2024). In this Circuit, a *pro se* plaintiff should generally be given at least one opportunity to amend his complaint before dismissal, if a "liberal reading of the complaint gives any indication that a valid claim might be stated." *Chavis v. Chappius*, 618 F.3d 162, 170 (2d Cir. 2010) (citation modified).

The district court was correct that Gonzalez failed to state a claim. The district court must dismiss a complaint filed *in forma pauperis* if the court determines that it "fails to state a claim on which relief may be granted." 28 U.S.C. § 1915(e)(2)(B)(ii). To avoid dismissal, "a complaint must contain sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (internal quotation marks omitted). "A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Id.*

Here, even after being given the opportunity to amend his complaint, Gonzalez failed to allege sufficient facts to state a plausible claim. He alleged that he had parked his car at a JFK Airport parking lot, but then became seriously ill. He sued the defendants, seeking as relief: "Release my car, void $11,000 payment, and award . . . 1 million dollar[s] in damages." Compl., *Gonzalez v. N.Y. Port Auth.*, No. 1:25-cv-4770 (BMC) (E.D.N.Y. Aug. 26, 2025), Doc. 1 at 6. These sparse allegations are insufficient to state a plausible claim. *See Iqbal*, 556 U.S. at 678 ("[T]he pleading standard Rule 8 announces does not require detailed factual allegations, but it demands more than an unadorned, the-defendant-unlawfully-harmed-me accusation." (internal quotation marks omitted)). And even after amending and "clarifying" his complaint, Gonzalez alleged only that the defendants imposed the $11,000 fine and failed to investigate his complaint about the issue, allegations that remain insufficient to state a claim. The district court was therefore correct that *sua sponte* dismissal was warranted. *See* 28 U.S.C. § 1915(e)(2)(B).

We have considered all of Gonzalez's arguments and find them to be without merit. Accordingly, we **AFFIRM** the judgment of the district court.[1]

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk of Court

[1] We direct the district court to review Gonzalez's submissions for certain sensitive information, such as his birth date, and to consider whether redaction or other protective measures are appropriate. *See* Fed. R. Civ. P. 5.2(a), (d)-(e), (h). For similar reasons, we also *sua sponte* order sealed Gonzalez's medical records, submitted as part of his appeal to this Court.