

United States Court of Appeals for the Fifth Circuit

No. 26-60248
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

September 10, 2026

Lyle W. Cayce
Clerk

KATIE M. YOUNG,

Plaintiff—Appellant,

versus

CRANES TAX,

Defendant—Appellee.

Appeal from the United States District Court
for the Northern District of Mississippi
USDC No. 4:26-CV-28

Before HAYNES, GRAVES, and RAMIREZ, *Circuit Judges*.

PER CURIAM:*

Katie M. Young appeals from the district court's dismissal with prejudice of her complaint under 28 U.S.C. § 1915(e)(2)(B) as frivolous and for failure to state a claim upon which relief may be granted. Young alleged that Cranes Tax committed religious discrimination and fraud while preparing and filing her federal tax returns. The district court concluded that because Young's complaint failed to state a claim for religious discrimination,

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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and her remaining claims were state-level tort claims, she failed to properly allege subject matter jurisdiction. We review this dismissal de novo. *See Harris v. Hegmann*, 198 F.3d 153, 156 (5th Cir. 1999).

Although Young argues on appeal that the district court erred by dismissing her complaint without permitting her to amend it, the district court did not abuse its discretion in that regard because it is apparent that Young pleaded her best case in her complaint. *See Brewster v. Drake*, 587 F.3d 764, 768 (5th Cir. 2009). Because any federal claim had no plausible foundation, Young failed to establish federal question jurisdiction. The district court properly dismissed any federal claims as frivolous and for failure to state a claim and properly dismissed her remaining state-law claims for lack of subject matter jurisdiction. *See Young v. Hosemann*, 598 F.3d 184, 188 (5th Cir. 2010). Because it dismissed the state law claims for lack of subject matter jurisdiction, it should have done so without prejudice, however. *See Mitchell v. Bailey*, 982 F.3d 937, 944 (5th Cir. 2020).

We MODIFY the district court's dismissal of the state law claims with prejudice to a dismissal without prejudice and AFFIRM the judgment as modified.