SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION

FREDERICK SHADDOCK, **Plaintiffs,** **v.** **OKSANA SHEMET SHADDOCK,** **Defendants.**	**2025-CAB-004804** **Judge Carl E. Ross** **CASE CLOSED**

ORDER GRANTING DEFENDANT'S MOTION TO DISMISS

Pending before the Court is Defendant Oksana Shemet Shaddock's Motion to Dismiss (hereinafter "Motion"), filed November 19, 2025. Plaintiff failed to file an Opposition and the time to do so has since passed. The Court considered the motion, the relevant law, and the entire record therein. For the following reasons, the Motion to Dismiss is granted.

FACTUAL AND PROCEDURAL BACKGROUND

On July 24, 2025, Plaintiff initiated an action against Defendant for Declaratory Judgement to Void a Quitclaim Deed for Defects. The Court's October 29, 2025, Order permitted Plaintiff to file an Amended Complaint to include claims for Equitable Reformation of Title. On November 12, 2025, Plaintiff timely filed an Amended Complaint, which includes counts for Declaration of Marital Property, Void Fraudulent Quitclaim Deed, Injunction Against Obstruction, and Equitable Reformation of Title. Am. Compl. at 2. Namely, Plaintiff seeks for a Court order deeming the property located on 520 N Street SW, S-316, Washington D.C., 20024 (hereinafter "the Property") as marital property, to void the deed, and add his name to the title. Further, Plaintiff seeks an "injunction against obstructions" for the shared marital property located in Iowa (hereinafter "Iowa Property") *See* Am. Compl. Defendant filed the instant Motion to Dismiss, arguing lack of subject

matter jurisdiction, lack of personal jurisdiction, insufficient process, and failure to state a claim upon which relief can be granted. Primarily, Defendant argues that the Parties' ongoing divorce proceeding in Iowa court divests this Court of jurisdiction over the matter.

LEGAL STANDARD

I. Subject Matter Jurisdiction - Rule 12(b)(1)

Under D.C. Superior Court Rule of Civil Procedure 12(b)(1), a court should dismiss an action when it lacks subject matter jurisdiction. D.C. Super. Ct. Civ. R. 12(b)(1). Subject matter jurisdiction "concerns the court's authority to adjudicate the type of controversy presented by the case under consideration." *In re J.W.*, 837 A.2d 40, 44 (D.C. 2003). When considering a Rule 12(b)(1), courts may "conduct an independent review of the evidence submitted by the parties . . . to resolve factual disputes concerning whether subject-matter jurisdiction exists." *Matthews v. Automated Bus. Sys. & Servs., Inc.,* 558 A.2d 1175, 1179 (D.C. 1989). The Superior Court "has jurisdiction of any civil action or other matter (at law or in equity) brought in the District of Columbia." *DeGroot v. DeGroot*, 939 A.2d 664, 668 (D.C. 2008). Particularly, the Family Court has "jurisdiction over…actions for divorce…including proceedings…for support and custody of minor children." *Id.* When a court enters the original divorce decree, that trial court has continuing jurisdiction to modify the original determination, including determinations of child custody and support. *Id.*

II. Personal Jurisdiction - Rule 12(b)(2)

"A motion to dismiss for lack of personal jurisdiction tests not whether the plaintiff will prevail on the merits, but instead whether or not the court may properly exercise jurisdiction over the movants." *See Kundrat v. District of Columbia*, 106 F. Supp. 2d 1, 4 (D.D.C. 2000). At the complaint stage, the plaintiff bears the burden of making a *prima facie* showing that a court has

personal jurisdiction over a particular defendant. *See Companhia Brasileira Carbureto De Calcio v. Applied Indus. Materials Corp.*, 35 A.3d 1127, 1135 n.9 (D.C. 2012) ("When ruling upon personal jurisdiction without an evidentiary hearing, a court ordinarily demands only a prima facie showing of jurisdiction by the plaintiffs.") (internal citations omitted). In order for a court in the District of Columbia to exercise personal jurisdiction over a nonresident defendant, the plaintiff must satisfy a two-part test: (1) personal jurisdiction must be authorized by the District of Columbia's long-arm statute; and (2) "the exercise of personal jurisdiction must comport with the requirements of due process." *See*, *e.g.*, *Companhia*, 35 A.3d at 1130; *Jackson v. Loews Wash. Cinemas, Inc.*, 944 A.2d 1088, 1092 (D.C. 2008). The District of Columbia long-arm statute provides, in relevant part, that a court may exercise personal jurisdiction over a party as to a claim for relief arising from that party's "(1) transacting any business in the District of Columbia; (2) contracting to supply services in the District of Columbia." *See* D.C. Code § 13-423(a)(1)-(2).

A court may exercise specific jurisdiction "whenever the defendant has purposefully directed its activities at residents of the forum, and the litigation has resulted from alleged injuries that arise out of or relate to those activities." *See Shoppers Food Warehouse v. Moreno*, 746 A.2d 320, 331 (D.C. 2000); *see also Keeton v. Hustler Magazine, Inc.*, 465 U.S. 770, 774 (1984); *Helicopteros Nacionales de Colombia, S.A. v. Hall*, 466 U.S. 408, 414 (1984). Due process is satisfied when the nonresident defendant has "had sufficient 'minimum contacts' with the forum state to justify subjecting [the company] to the exercise of personal jurisdiction by its courts." *See Environmental Research Int'l, Inc. v. Lockwood Greene Eng'rs, Inc*., 355 A.2d 808, 811 (D.C. 1976). In determining whether the Court has jurisdiction, the Court may consider materials outside the pleadings. *Frost v. Catholic Univ. of Am.*, 960 F. Supp. 2d 226, 231 (D.D.C. 2013) (quoting *Jerome Stevens Pharm., Inc. v. FDA*, 402 F.3d 1249, 1253 (D.C. Cir. 2005).

III. Failure to State a Claim - Rule 12(b)(6)

A motion to dismiss for failure to state a claim should be granted under 12(b)(6) if the pleadings do not satisfy the standard set forth in Rule 8(a). *See generally Potomac Dev. Corp. v. D.C.*, 28 A.3d 531 (D.C. 2011); D.C. Super. Ct. Civ. R. 8(a), 12(b)(6). Under Rule 8(a), a pleading must contain a "short and plain statement of the claim showing that the pleader is entitled to relief." *See id.* at 8(a); *Ashcroft v. Iqbal*, 556 U.S. 662, 677–78 (2009) (explaining Rule 8 of the Federal Rules of Civil Procedure, which closely mirrors D.C. Superior Court Rule of Civil Procedure 8). The Complaint must be "specific enough to give the defendant fair notice of what the… claim is and the grounds upon which it rests." *Tingling-Clemmons v. District of Columbia*, 113 A.3d 241, 245 (D.C. 2016) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007)) (internal quotations omitted); *Galloway v. Chugach Gov't Servs.*, 199 F. Supp. 3d 145, 250 (D.D.C 2016). Courts must accept as true all factual allegations in a complaint. *Grayson v. AT&T Corp*., 15 A.3d 219, 229 (D.C. 2011).

A plaintiff who wishes to survive a motion to dismiss under D.C. Superior Court Rule of Civil Procedure 12(b)(6) must provide "enough facts to state a claim to relief that is plausible on its face." *See Twombly,* 550 U.S. at 570 (plaintiffs must "[nudge] their claims across the line from conceivable to plausible"); *Mazza v. Housecraft LLC*, 18 A.3d 786, 791 (D.C. 2011) (holding that *Twombly* and *Iqbal* apply in this jurisdiction because D.C. Super. Ct. R. Civ. P. 8(a) is identical to its federal counterpart). Whether a complaint states a plausible claim for relief is a context-specific task that obliges the court to draw on its "judicial experience and common sense." *Potomac Dev. Corp.*, 28 A.3d at 545 (citing *Iqbal*, 556 U.S. at 678). The "plausibility" pleading standard does not require "detailed factual allegations" at the initial litigation stage of filing the complaint, but "it demands more than an unadorned, the-defendant-unlawfully-harmed-me accusation." *See*

Iqbal, 556 U.S. at 678. Pleadings that offer "labels and conclusions" or "a formulaic recitation of the elements of a cause of action" are not sufficient. *Id.* A claim is plausible on its face "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*.

IV. Conceded Motion

Superior Court Rule of Civil Procedure 12-I(e) allows the Court to treat unopposed motions as conceded. "The conceded motion provision is a judicial housekeeping device intended to serve the cause of judicial efficiency and case management and to benefit the administration of justice." *District of Columbia v. Davis*, 811 A.2d 800, 803 (D.C. 2002) (quotation marks and citation omitted); *National Voter Contact, Inc. v. Versace*, 511 A.2d 393, 397 (D.C. 1986) ("Rule 12-I(e) is a superior judicial housekeeping device"). This provision also furthers the judge's obligation to "remain a disinterested and objective participant in the proceeding" and not "align himself with any of the parties at trial." *See Kaliku v. United States*, 994 A.2d 765, 783 (D.C. 2010) (quotation and citation omitted); *Haughton v. Byers*, 398 A.2d 18, 21 (D.C. 1979) (the judge may not "tak[e] on the role of the advocate") (quotation and citation omitted); *see also* Code of Judicial Conduct Rule 2.2 ("A judge … shall perform all duties of judicial office fairly and impartially."). Courts treat as waived any argument made only perfunctorily because "[i]t is not enough merely to mention a possible argument in the most skeletal way, leaving the court to do counsel's work, create the ossature for the argument, and put flesh on its bones." *See Wagner v. Georgetown University Medical Center*, 768 A.2d 546, 554 n.9 (D.C. 2001) (quotation and citation omitted). *A fortiori*, the court need not do a party's work when a party does not mention a possible argument at all. *See Stephenson v. Cox*, 223 F. Supp. 2d 119, 122 (D.D.C. 2002) ("The court's role is not to act as an advocate for [one party] and construct legal arguments on his behalf in order to counter

those in the motion" to which he did not file a timely response). Indeed, even a self-represented litigant "*cannot generally be permitted to shift the burden of litigating his case to the courts*." *Berkley v. D.C. Transit, Inc.*, 950 A.2d 749, 756 n.11 (D.C. 2008) (emphasis in original, quotations and citations omitted).

For a dispositive motion like this one, "[t]he general principle … is that [a conceded motion provision] may properly be utilized only where the movant has established a prima facie entitlement to relief." *Davis*, 811 A.2d at 804. *Compare Feldman v. Gogos*, 628 A.2d 103, 105 & n.2 (D.C. 1993) (reversing trial court's dismissal of complaint on grounds that the trial court raised *sua sponte* because the grounds were *not clear from the face* of the complaint) (emphasis added), *with In re T.C.*, 999 A.2d 72, 83 (D.C. 2010) (upholding judicial intervention in the absence of objection "when the judge detects a *patent omission* which might vitiate" a just determination of the case) (emphasis added, quotation and citation omitted). This general principle "balance[s] the benefits to the administration of justice by an interpretation of Rule 12-I(e) that would allow the trial courts to grant [dispositive motions] on the sole ground that no timely opposition has been filed, against the costs to litigants of foreclosure of their cause of action." *National Voter Contact, Inc.*, 511 A.2d at 397; *see Cohen v. Board of Trustees of the University of the District of Columbia*, 819 F.3d 476, 480–482 (D.C. Cir. 2016) (discussing the tension between (a) conceded-motion rules and (b) rules placing the burden on the moving party to establish grounds for dismissal and summary judgment and the preference for resolving disputes on their merits). *See also Murray v. District of Columbia*, 870 A.2d 25, 27 (D.C. 2005) (Rule 12-I(e) permits but does not require the court to treat a motion as conceded); *Town Center Management Corp. v. Chavez*, 373 A.2d 238, 242 n.5 (D.C. 1977) (no error in refusing to grant relief requested in unopposed motion). Thus, even if a dispositive motion is not opposed in whole or in part, the Court has a duty to consider its

merits – but not with the degree of scrutiny that the Court would apply if the non-moving party had actually objected.

ANALYSIS

I. The Court Dismisses Count I, Declaration of Marital Property, for Lack of Subject Matter Jurisdiction.

The Court dismisses Count I of Plaintiff's Amended Complaint for lack of subject matter jurisdiction. Pursuant to D.C. Code § 11-1101(a)(8), "[t]he Family Court of the District of Columbia shall be assigned and have original jurisdiction over determinations and adjudications of property rights, both real and personal, in any action referred to in this section, irrespective of any jurisdictional limitation imposed on the Superior Court[.]" Under D.C. Code § 16-910,

> (a) Upon entry of a final decree of legal separation, annulment, or divorce, or upon the termination of a domestic partnership pursuant to § 32-702(d) or § 16-904(e) and the filing of a petition for relief available under this section, in the absence of a valid antenuptial or postnuptial agreement resolving all issues related to the property of the parties, the court shall:
>
> (1) Assign to each party the party's sole and separate property acquired prior to the marriage or domestic partnership, and the party's sole and separate property acquired during the marriage or domestic partnership by gift, bequest, devise, or descent, and any increase thereof, or property acquired in exchange therefore;
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> (2) Value and distribute all other property and debt accumulated during the marriage or domestic partnership that has not been addressed in a valid antenuptial or postnuptial agreement or a decree of legal separation, regardless of whether title is held individually or by the parties in a form of joint tenancy or tenancy by the entireties, in a manner that is equitable, just, and reasonable…

Accordingly, the Family Court has jurisdiction to adjudicate the Parties' property rights only after an entry of a final decree of legal separation, annulment, or divorce. *See id.* It is well established that a court must have subject matter jurisdiction to enter a divorce decree and personal jurisdiction over the Parties to make subsequent determinations on property. *See e.g., DeGroot v. DeGroot*, 939 A.2d 664 (D.C. 2008). From the Amended Complaint, it appears that Plaintiff seeks (1) a Court order designating the Property as marital property under D.C. Code § 16-910, (2) to

void the allegedly forged quitclaim deed, and (3) to amend the Property's title to include Plaintiff's name. *See* Am. Compl. However, as corroborated by Defendant's Motion, Plaintiff filed for dissolution of marriage in Jefferson County, Iowa, on May 26, 2024. It appears that the case is currently pending, and the Iowa courts have yet to enter a final divorce decree. As such, this Court does not have subject matter jurisdiction or personal jurisdiction over the Parties because the Parties previously filed for divorce in another state. This Court therefore cannot make determinations as to the Property because the Property is the subject of another action. Plaintiff Shaddock may file for divorce, should he please, in the District of Columbia's Family Court, provided that he meets the requirements set forth in Chapter 9 of the D.C. Code. Accordingly, Count I, Declaration of Martial Property, is dismissed.

II. The Court Dismisses Count II for Lack of Subject Matter Jurisdiction and Claim Preclusion

The Court dismisses Count II, Void Fraudulent Quitclaim Deed under the doctrine of claim preclusion and lack of subject matter jurisdiction. In the Amended Complaint, Plaintiff contends that on "October 10, 2012, Defendant purchased the DC Condo yet omitted Plaintiff from the title and denied her husband Authorized Occupant status, cooperative voting rights, elevator fob, and 2001 Mercedez C230 key…" Am. Compl. at 1. Plaintiff therefore seeks to void the allegedly fraudulent quit claim deed for fraud. *Id.* "Under the doctrine of claim preclusion (*res judicata*), a valid final judgment on the merits absolutely bars the same parties from relitigating the same claim in a subsequent proceeding." *Parker v. Martin*, 905 A.2d 756, 762 (D.C. 2006). In determining the applicability of claim preclusion, the Court must consider: (1) whether the claim was adjudicated finally in the first action, (2) whether the present claim is the same as the claim which was raised or which might have been raised in the prior proceeding, and (3) whether the party against whom the plea is asserted was a party or in privity with a party in the prior case. *Patton v. Klein*, 746

A.2d 866, 870 (D.C. 1999). A dismissal with prejudice is not treated any differently than a judgement. *See Molovinsky, v. Monterey Co-op., Inc*., 689 A.2d 531, n.1 (citing Super. Ct. R. Civ. Pro. 41(a)(1)(ii) ("filing of a stipulation of dismissal with prejudice operated as an adjudication on the merits."))

In *Shaddock v. Shaddock*, 2025-CAB-000953, Plaintiff Shaddock filed a petition to add his name to the title for the same property in question. *See* Order, March 20, 2025. The Court granted Defendant's motion to dismiss, finding that the District is not the appropriate forum to adjudicate the matter considering the existence of the Iowa divorce proceeding. The Court also noted that the District of Columbia is not a community property state, and it is not within the Court's jurisdiction to provide the relief requested. Claim preclusion applies here because the first action was dismissed with prejudice, the previous matters involved the same property and the same requested relief, and the named Defendant in the previous matter is the same Defendant as the instant matter. Therefore, the Court dismisses Count II under the doctrine of claim preclusion.

Alternatively, the Court also dismisses the claim for lack of subject matter jurisdiction, as previously held by the Court in the previous matter. The District of Columbia is not the appropriate forum to adjudicate property ownership considering the existence of the Iowa divorce proceeding.

III. Count III, Injunction Against Obstruction, is Dismissed for Lack of Personal Jurisdiction and Failure to State a Claim.

The Court dismisses Count III, Injunction Against Obstruction, for failure to state a claim under Rules 12(b)(2) and 12(b)(6). Plaintiff asserts that Defendant denied her tenant, Ms. Jonitka Scott, access to the Iowa Property. Am. Compl. ¶ 11. Further, Defendant allegedly instructed third parties, Mary Jones and Chris Haggard, to enter the Iowa Property and remove items without the Petitioner's consent. From these claims, it appears that Plaintiff seeks a Court order enjoining

further evictions and disturbance to the Iowa Property. Am. Compl. at 2. The Court dismisses these claims for lack of personal jurisdiction and failure to state a claim.

First, the Court does not have personal jurisdiction over Defendant. A court may exercise personal jurisdiction so long as it is authorized by D.C. long arm statute and comports with the requirements of due process. *See*, *e.g.*, *Companhia*, 35 A.3d at 1130; *Jackson v. Loews Wash. Cinemas, Inc.*, 944 A.2d 1088, 1092 (D.C. 2008). The District of Columbia long-arm statute provides, in relevant part, that a court may exercise personal jurisdiction over a party as to a claim for relief arising from that party's "(1) transacting any business in the District of Columbia; (2) contracting to supply services in the District of Columbia." *See* D.C. Code § 13-423(a)(1)-(2). Here, Plaintiff's claims rest on Defendant's conduct in their shared marital property located in Iowa. Plaintiff bears the burden of demonstrating that the Court may exercise personal jurisdiction over Defendant. Specifically, Defendant resides in Iowa, Plaintiff stated that he is a resident of Iowa for the purposes of initiating a divorce proceeding in the state, and the property in question is in Iowa. Moreover, Plaintiff fails to include any information demonstrating how D.C. Courts can exercise jurisdiction to adjudicate matters wholly based in Iowa. The District's long-arm statute does not apply here because the Complaint does not state that the Parties engage in business or services such that they reasonably foresee litigation in D.C. Courts.

Generally, the power to affect title and land resides in the court of the state of the *situs* of the land. *See Davis v. Davis*, 957 A.2d 576, 580 (D.C 2008). The home is located in Iowa, and an injunction should be sought only in Iowa court. Plaintiff also claims that the Iowa Property is marital property, which would therefore make it the subject of the divorce proceedings in Iowa. For the reasons stated, it would be improper for D.C. courts to exercise personal jurisdiction over the Defendant.

Further, the Court dismisses the action for failure to state a claim under Rule 12(b)(6). A motion to dismiss for failure to state a claim should be granted if the pleadings do not satisfy the standard set forth in Rule 8(a) *See generally Potomac Dev. Corp. v. D.C.*, 28 A.3d 531 (D.C. 2011); D.C. Super. Ct. Civ. R. 8(a), 12(b)(6). Under Rule 8(a), a pleading must contain a "short and plain statement of the claim showing that the pleader is entitled to relief." D.C. Super. Ct. Civ. R. 8(a), 12(b)(6). Plaintiff's Amended Complaint plainly states that the Court shall "enjoin obstruction, including lockouts, on either property, for Plaintiff, or tenants, regardless of race[.]" Am. Compl. at 2. To plausibly support this claim, Plaintiff must provide sufficient factual details demonstrating how Defendant's conduct violated the law, which entitles Plaintiff to relief. Instead, Plaintiff fails to articulate how Defendant's conduct violated the law, especially when the facts indicate that Defendant's actions were not directed towards Plaintiff, but rather towards other third parties. The Court even permitted Plaintiff to file an Amended Complaint, which provided Plaintiff with an opportunity to file a Complaint in accordance with the Rules. Thus, the Court dismisses Plaintiff's claim under Rule 12(b)(6).

IV. The Court Dismisses Count IV, Equitable Reformation of Title, For Failure to State a Claim.

The Court dismisses Count IV, Reformation of Title, for failure to state claim under Rule 12(b)(6). Plaintiff requests that the Court "[r]eform title [of The Property], with approximately $1000 cost paid by Plaintiff to the title company." Am. Compl. at 2. The doctrine of equitable reformation is an equitable remedy which allows the court to alter a contract when the parties show, through clear and convincing evidence, that there was a mutual mistake in drafting the contract. *See 2301 M St. Coop. Ass'n v. Chromium LLC*, 209 A.3d 82, n.9 (D.C. 2019). D.C. Courts hold that reformation is appropriate when an agreement has been reached by the parties and the writing does not accurately express their mutual agreement. *Ins. Co. of N. Am. v. District of*

Columbia, 948 A.2d 1181, 1191 (D.C. 2008). The purpose of reformation is "driven by a respect for the parties' intent and gives effect to the terms mutually agreed upon by the parties." *Id.* Attached to the original Complaint is the alleged quit claim deed, which Plaintiff claims is fraudulent. The exhibit includes a photocopy of the deed, with Plaintiff's edits in red ink. The exhibit alone, which is not attached to the Amended Complaint, is insufficient to meet the standard set forth in Rule 12(b)(6). Specifically, the Amended Complaint does not state the circumstances behind the formulation of the deed, how the deed is fraudulent, or why Plaintiff must be included in the title.

Further, the Court dismisses the count for claim preclusion and lack of subject matter jurisdiction. The Court cannot exercise jurisdiction over the matter because of the pending Iowa case. As mentioned above, in *Shaddock v. Shaddock*, 2025-CAB-000953, Plaintiff Shaddock filed a petition to add his name to the title for the same property in question. *See* Order, March 20, 2025. The Court granted Defendant's motion to dismiss, finding that D.C. is not the appropriate forum to adjudicate the matter considering the existence of the Iowa divorce proceeding. By Plaintiff's own admission, he owns the "marital property" with Defendant since 1985, which therefore subjects it to the purview of Iowa courts. Am. Compl at 1. Therefore, the Court dismisses the claim for lack of subject matter jurisdiction and claim preclusion.

Accordingly, it is by the Court, this 10th day of February 2026, hereby

ORDERED that Defendant's Motion to Dismiss is **GRANTED**; and it is further

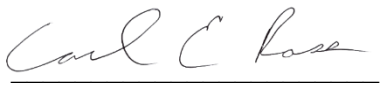
ORDERED that all Counts are **DIMISSED with prejudice**; and it is further

ORDERED that the case is **DIMISSED**; and it is further

ORDERED that the case is **CLOSED**.

THIS IS A FINAL ORDER.

SO ORDERED.



Judge Carl E. Ross

Copies to all Parties.