

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON

**Yu Hin Chan v. Karen May Bacdayan, Kevin C. McClanahan,
Carmen A. Pacheco, Dawn Hill-Kearse, Wavny Toussaint, Re/Max**

Chan · No. 2:25-cv-02083-RAJ · Decided December 4, 2025

SUMMARY

The United States District Court for the Western District of Washington dismisses Yu Hin Chan’s pro se, in forma pauperis complaint under 28 U.S.C. § 1915(e)(2)(B). The court finds that the complaint lacks specific factual allegations supporting claims for due process violations, conspiracy, or RICO liability. Dismissal is without prejudice and with leave to amend within 21 days.

CASE DETAILS

COURT	United States District Court for the Western District of Washington
WRITING FOR THE COURT	Richard A. Jones
JURISDICTION	United States District Court for the Western District of Washington
DECIDED	December 4, 2025
DOCKET	2:25-cv-02083-RAJ
DISPOSITION	dismissed
PROCEDURAL POSTURE	On sua sponte review under 28 U.S.C. § 1915(e)(2)(B), the court screened a pro se plaintiff’s complaint filed in forma pauperis and dismissed it without prejudice, granting leave to amend.
STANDARD OF REVIEW	The court reviewed the complaint sua sponte under the screening standard in 28 U.S.C. § 1915(e)(2)(B), accepting factual allegations as true and applying the Rule 8 plausibility standard.
PRECEDENTIAL VALUE	Unknown; district court order with no reporter or neutral citation.

TOPICS

- pleadings
- motions to dismiss
- civil procedure
- civil rights

PRACTICE AREAS

- civil procedure
- civil rights
- RICO

QUESTIONS PRESENTED

1. Whether the complaint stated a plausible claim for relief under the screening standard of 28 U.S.C. § 1915(e)(2)(B).
2. Whether the plaintiff should be granted leave to amend after dismissal of the deficient complaint.

HOLDINGS

1. The complaint failed to state a plausible claim because it contained no factually specific allegations explaining the alleged due-process deprivation, conspiracy, roles of the defendants, or factual basis for a RICO claim.
2. The complaint was dismissed without prejudice and with leave to amend within 21 days because the deficiencies were potentially curable by amendment.

KEY QUOTATIONS

“To state a claim upon which relief may be granted, “a complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’”” (at 1)

“The complaint lacks any factually specific allegation regarding the events giving rise to Plaintiff’s claim.” (at 2)

FACTUAL BACKGROUND

The plaintiff alleged that Re/Max was the current owner of the apartment where he lived, that all defendants conspired together to deprive him of due process, and that the court had jurisdiction under the RICO Act. The complaint did not explain the alleged due-process deprivation, the nature of the conspiracy, the role of each defendant, or facts supporting a RICO claim. The plaintiff sought \$1 billion in damages.

PROCEDURAL HISTORY

Yu Hin Chan filed a one-page complaint against six defendants, proceeding pro se and in forma pauperis. The district court conducted sua sponte screening under 28 U.S.C. § 1915(e)(2)(B), determined that the complaint failed to state a plausible claim, and dismissed it without prejudice with leave to amend within 21 days.

DISPOSITION

dismissed

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Cato v. United States, 70 F.3d 1103, 1106 (9th Cir. 1995)

