

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Joseph Emmanuel Jarvis, et al. v. Assa Abloy Global Solutions Incorporated, et al.

Jarvis · No. CV-25-08093-PCT-SMB · Decided March 9, 2026

SUMMARY

The United States District Court for the District of Arizona denies Plaintiffs’ motion to vacate their Rule 41(a)(1)(A)(i) voluntary dismissal and denies Defendants’ motion for sanctions. The Court concludes that none of the asserted Rule 60(b) grounds supports vacatur and declines to designate Plaintiffs as vexatious litigants or award attorneys’ fees. The Court admonishes Plaintiffs, maintains termination of the case, and orders that Defendants need not respond to future filings unless directed by the Court.

CASE DETAILS

COURT	United States District Court for the District of Arizona
JURISDICTION	United States District Court for the District of Arizona
DECIDED	March 9, 2026
DOCKET	CV-25-08093-PCT-SMB
DISPOSITION	other
PROCEDURAL POSTURE	After defendants removed the action from Arizona state court and plaintiffs filed a notice of voluntary dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(i), plaintiffs moved under Rule 60(b) to vacate the dismissal. Defendants moved for sanctions, and the court considered several related motions.
STANDARD OF REVIEW	Rule 60(b) relief is committed to the court's discretion, with Rule 60(b)(6) requiring extraordinary circumstances. Relief under Rule 60(b)(4) for jurisdictional defects is limited to exceptional cases in which the rendering court lacked even an arguable basis for jurisdiction. The court also applied the Ninth Circuit's requirements for vexatious-litigant restrictions and the standards governing inherent-authority attorney-fee sanctions.
PRECEDENTIAL VALUE	unpublished district-court order; precedential status unknown
PARTIES	Joseph Emmanuel Jarvis, Huiquin Du v. Assa Abloy Global Solutions Incorporated, et al.

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QUESTIONS PRESENTED

1. Whether plaintiffs' voluntary dismissal under Rule 41(a)(1)(A)(i) should be vacated under Rule 60(b)(1), (3), (4), or (6).
2. Whether the voluntary dismissal could be treated as void because the action was allegedly improperly removed and the federal court allegedly lacked removal jurisdiction.
3. Whether plaintiffs should be designated vexatious litigants or subjected to prefiling restrictions based on their litigation conduct.
4. Whether defendants were entitled to attorney's fees as a sanction under the court's inherent authority.
5. Whether defendants could be excused from responding to future filings in the terminated case unless ordered by the court.

HOLDINGS

1. Rule 60(b)(1) did not provide a basis to vacate the voluntary dismissal because plaintiffs did not argue that the dismissal resulted from mistake, inadvertence, surprise, or excusable neglect, and the record showed they understood the dismissal's self-executing effect.
2. Rule 60(b)(3) did not provide a basis to vacate the voluntary dismissal because plaintiffs did not show that their dismissal resulted from fraud, misrepresentation, or misconduct by defendants.
3. Rule 60(b)(4) did not provide a basis to vacate the voluntary dismissal because the dismissal was not a judgment rendered by the court, and plaintiffs identified no authority making their Rule 41(a) dismissal a legal nullity even if removal jurisdiction were lacking.
4. Rule 60(b)(6) did not provide a basis to vacate the voluntary dismissal because plaintiffs identified no extraordinary circumstances justifying relief.
5. The court declined to designate plaintiffs vexatious litigants because their conduct had not yet risen to the level of frivolousness or harassment required for such a restriction.
6. The court declined to award defendants attorney's fees, although it admonished plaintiffs for conduct bordering on bad faith.
7. Defendants were not required to respond to future filings by plaintiffs in the terminated case unless the court ordered them to respond.

KEY QUOTATIONS

“Rule 41(a)(1)(A)(i) allows plaintiffs to “dismiss an action without a court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.”” (at 1)

“Rule 60(b)(4) relief for jurisdictional defects is reserved “only for the exceptional case in which the court that rendered judgment lacked even an arguable basis for jurisdiction.”” (at 3)

“Restricting access to the courts is, however, a serious matter. The right of access to the courts is a fundamental right protected by the Constitution.” (at 5)

“This case thus remains terminated, which precludes Plaintiffs from filing any additional motions in this case.” (at 9)

FACTUAL BACKGROUND

Plaintiffs Joseph E. Jarvis and Huiquin Du filed a complaint exceeding 700 pages and 3,400 paragraphs in Mohave County Superior Court. Defendants removed the case to federal court, after which plaintiffs filed multiple motions to remand and other filings. Plaintiffs then filed a notice of voluntary dismissal before defendants served an answer or summary-judgment motion, but continued filing documents after the case had terminated. The later filings included repeated remand requests, a motion to vacate the dismissal, and motions related to sanctions and party status.

PROCEDURAL HISTORY

Plaintiffs filed a lengthy complaint in Mohave County Superior Court, and defendants removed the action to the District of Arizona on federal-question grounds. Before defendants served an answer or summary-judgment motion, plaintiffs filed a notice of voluntary dismissal, which terminated the case. Plaintiffs later continued filing motions, appealed one post-dismissal order and voluntarily dismissed that appeal, and then moved to vacate the voluntary dismissal. The court denied vacatur, denied defendants' request for sanctions, granted a restriction that defendants need not respond to future filings unless ordered, and denied the remaining motions as moot.

DISPOSITION

other

REMAND INSTRUCTIONS

None. The court did not reach the merits of the remand issue; plaintiffs' remand-related motions were rendered moot, and the case remained terminated.

CASES CITED

- *Waetzig v. Halliburton Energy Services, Inc.*, 604 U.S. 305, 311-12 (2025)
- *Segura v. City of La Mesa*, 647 F. Supp. 3d 926, 934 (S.D. Cal. 2022)
- *Trendsetta USA, Inc. v. Swisher International, Inc.*, 31 F.4th 1124, 1136 (9th Cir. 2022)
- *United Student Aid Funds, Inc. v. Espinosa*, 559 U.S. 260, 270-71 (2010)
- *Duke Energy Trading & Marketing, L.L.C. v. Davis*, 267 F.3d 1042, 1048 (9th Cir. 2001)
- *Henson v. Fidelity National Financial, Inc.*, 943 F.3d 434, 444 (9th Cir. 2019)
- *Ringgold-Lockhart v. County of Los Angeles*, 761 F.3d 1057, 1061-65 (9th Cir. 2014)

- American Unites for Kids v. Rousseau, 985 F.3d 1075, 1088-90 (9th Cir. 2021)
- Goodyear Tire & Rubber Co. v. Haeger, 581 U.S. 101, 107 (2017)
- Goodwin v. AT&T, No. 2:23-CV-01950-GMN-DJA, 2024 WL 2866895, at *1-2 (D. Nev. June 6, 2024)

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