

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Lawson-King v. Neighbor to Neighbor Homes, LLC

No. 2:25-cv-01299-DC-CKD PS · No. No. 2:25-cv-01299-DC-CKD PS · Decided July 11, 2025

SUMMARY

The document contains findings and recommendations by a United States magistrate judge in a pro se, in forma pauperis action concerning an alleged wrongful foreclosure. The court recommends dismissal of the first amended complaint without leave to amend for lack of subject-matter jurisdiction and failure to comply with Federal Rule of Civil Procedure 8, and orders the plaintiff’s separate petition stricken. The recommendations also explain that any challenge to a prior state-court judgment may be barred by the Rooker-Feldman doctrine.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Carolyn K. Delaney
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 11, 2025
DOCKET	No. 2:25-cv-01299-DC-CKD PS
DISPOSITION	other
PROCEDURAL POSTURE	Findings and recommendations on screening of plaintiff's first amended complaint under 28 U.S.C. § 1915(e), recommending dismissal without leave to amend; the court also ordered plaintiff's separate petition stricken.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2), the court must screen an in forma pauperis action and dismiss it if it is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief from an immune defendant. The court accepts factual allegations as true unless clearly baseless or fanciful, construes them in the plaintiff's favor, and applies the plausibility standard under Twombly and Iqbal. Pro se pleadings are construed liberally but must still provide fair notice and state claims plainly and succinctly.
PRECEDENTIAL VALUE	nonprecedential

PARTIES

Janice Lawson-King v. Neighbor to Neighbor Homes, LLC, Wells Fargo Bank

TOPICS

subject matter jurisdiction

foreclosure

pleadings

civil procedure

due process

PRACTICE AREAS

civil procedure

foreclosure

constitutional law

federal jurisdiction

pleadings

QUESTIONS PRESENTED

1. Whether the first amended complaint adequately established federal subject-matter jurisdiction.
2. Whether any claims challenging a prior state-court decision were barred by the Rooker-Feldman doctrine.
3. Whether the first amended complaint complied with Federal Rule of Civil Procedure 8 by giving fair notice of the claims and the acts allegedly committed by each defendant.
4. Whether further amendment would be futile and dismissal should therefore occur without leave to amend.
5. Whether plaintiff's separate petition should be treated as an additional amended complaint or stricken.

HOLDINGS

1. The petition was not properly before the court as a second amended complaint because plaintiff had not sought leave under Federal Rule of Civil Procedure 15(a)(2); the petition was therefore stricken.
2. The complaint failed to establish federal subject-matter jurisdiction because it did not adequately allege a federal claim or diversity jurisdiction.
3. To the extent plaintiff sought review or invalidation of a prior state-court decision, the federal action was barred by the Rooker-Feldman doctrine because a federal district court lacks appellate jurisdiction over state-court judgments.
4. The first amended complaint failed to comply with Rule 8 because it did not clearly identify the claims, the factual grounds for those claims, or the acts allegedly committed by each defendant.
5. Further leave to amend was not appropriate because plaintiff had already been given an opportunity to amend and the amended complaint did not cure the previously identified deficiencies; further amendment would be futile.

KEY QUOTATIONS

“The Rooker-Feldman doctrine “prohibits a federal district court from exercising subject matter jurisdiction over a suit that is a de facto appeal from a state court judgment.”” (at 4)

“A federal court action constitutes a forbidden de facto appeal under Rooker-Feldman when the plaintiff complains of a legal injury caused by a state court judgment, based on an allegedly erroneous legal ruling, in

a case in which the federal plaintiff was one of the litigants.” (at 5)

“To give fair notice of the claims and the grounds on which they rest, a plaintiff must allege with at least some degree of particularity overt acts by specific defendants which support the claims.” (at 5)

FACTUAL BACKGROUND

Lawson-King alleged that she was wrongfully foreclosed upon despite paying the required amount and sought equitable redemption of her property and dismissal of allegedly illegal foreclosure actions. She asserted due-process and other federal-law violations, but did not adequately explain how either Wells Fargo Bank or Neighbor to Neighbor Homes, LLC violated her rights. She also referred to a prior state-court proceeding in which she allegedly was not allowed to prove her case because of a prejudicial judge.

PROCEDURAL HISTORY

Plaintiff filed an initial complaint and an application to proceed in forma pauperis. The court granted in forma pauperis status but dismissed the complaint with leave to amend. After plaintiff failed to timely amend, the court issued findings and recommendations recommending dismissal for failure to prosecute, then vacated those recommendations after granting plaintiff an extension. Plaintiff filed a first amended complaint and a separate petition. The magistrate judge construed the first amended complaint as the operative pleading, ordered the petition stricken, and recommended dismissal of the amended complaint without leave to amend.

DISPOSITION

other

CASES CITED

- *Lopez v. Smith*, 203 F.3d 1122, 1126-27 (9th Cir. 2000)
- *Neitzke v. Williams*, 490 U.S. 319, 325, 327 (1989)
- *Von Saher v. Norton Simon Museum of Art at Pasadena*, 592 F.3d 954, 960 (9th Cir. 2010), cert. denied, 564 U.S. 1037 (2011)
- *Haines v. Kerner*, 404 U.S. 519, 520 (1972)
- *Western Mining Council v. Watt*, 643 F.2d 618, 624 (9th Cir. 1981)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555-57, 570 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Noll v. Carlson*, 809 F.2d 1446, 1448 (9th Cir. 1987)
- *Tapia v. Diaz*, 2021 WL 1546447, at *1 (E.D. Cal. Apr. 20, 2021)
- *Eminence Capital, LLC v. Aspeon, Inc.*, 316 F.3d 1048, 1051-52 (9th Cir. 2003)
- *Kokkonen v. Guardian Life Insurance Co. of America*, 511 U.S. 375, 377 (1994)
- *Vacek v. U.S. Postal Service*, 447 F.3d 1248, 1250 (9th Cir. 2006)
- *Franklin v. State of Or., State Welfare Div.*, 662 F.2d 1337, 1342 (9th Cir. 1981)
- *Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923)

- Exxon Mobil Corp. v. Saudi Basic Industries Corp., 544 U.S. 280, 283-84 (2005)
- Kougasian v. TMSL, Inc., 359 F.3d 1136, 1139 (9th Cir. 2004)
- Benavidez v. County of San Diego, 993 F.3d 1134, 1142-43 (9th Cir. 2021)
- Doe & Assocs. Law Offices v. Napolitano, 252 F.3d 1026, 1029 (9th Cir. 2001)
- Noel v. Hall, 341 F.3d 1148, 1158, 1163 (9th Cir. 2003)
- In re Gruntz, 202 F.3d 1074, 1079 (9th Cir. 2000)
- Kimes v. Stone, 84 F.3d 1121, 1129 (9th Cir. 1996)
- Jones v. Community Redevelopment Agency, 733 F.2d 646, 649 (9th Cir. 1984)
- McHenry v. Renne, 84 F.3d 1172, 1178-80 (9th Cir. 1996)
- Klamath-Lake Pharmaceutical Ass'n v. Klamath Medical Service Bureau, 701 F.2d 1276, 1293 (9th Cir. 1983)
- Martinez v. Yist, 951 F.2d 1153 (9th Cir. 1991)