

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Goodwin v. State Farm Insurance

Goodwin · No. 1:25-cv-00431-SAB · Decided June 4, 2025

SUMMARY

The United States District Court for the Eastern District of California recommends dismissing Duchun Goodwin’s pro se, in forma pauperis complaint against State Farm Insurance and the California Department of Insurance. The recommendation concludes that the complaint fails to state cognizable claims under Rule 8, RICO, the ADA, 18 U.S.C. §§ 241 and 1341, and 42 U.S.C. § 1983, and that Plaintiff failed to prosecute and comply with an order granting leave to amend. The magistrate judge recommends dismissal without leave to amend and directs the Clerk to randomly assign a district judge; objections were due within fourteen days.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Stanley A. Boone
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 4, 2025
DOCKET	1:25-cv-00431-SAB
DISPOSITION	other
PROCEDURAL POSTURE	A pro se plaintiff proceeding in forma pauperis filed a civil action against State Farm Insurance and the California Department of Insurance. After screening the complaint, the magistrate judge found that it failed to state a cognizable claim and granted leave to amend. When plaintiff failed to amend or otherwise respond, the magistrate judge issued findings and recommendations recommending dismissal without leave to amend for failure to state a claim, failure to prosecute, and failure to comply with a court order.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2), the court may dismiss an in forma pauperis complaint at any time if it is frivolous or malicious, fails to state a claim, or seeks monetary relief from an immune defendant. Failure to state a claim is assessed under the pleading standards of Federal Rule of Civil Procedure 8(a), accepting factual allegations as true and liberally construing a pro se complaint, but not accepting

legal conclusions as true. Dismissal for failure to prosecute or obey a court order is evaluated under the Ninth Circuit's five-factor framework concerning expeditious resolution, docket management, prejudice, disposition on the merits, and less drastic alternatives.

PRECEDENTIAL VALUE

nonprecedential

TOPICS

pleadings

civil procedure

section 1983

ada / disability

subject matter jurisdiction

PRACTICE AREAS

civil procedure

civil rights

disability discrimination

federal jurisdiction

insurance litigation

QUESTIONS PRESENTED

1. Whether the complaint satisfied Federal Rule of Civil Procedure 8 and stated a plausible claim for relief.
2. Whether the complaint stated a cognizable federal claim under RICO, the ADA, 18 U.S.C. §§ 241 or 1341, or 42 U.S.C. § 1983.
3. Whether the court could exercise federal-question or diversity jurisdiction over the action.
4. Whether dismissal was warranted because plaintiff failed to prosecute and failed to comply with the order granting leave to amend.

HOLDINGS

1. The complaint failed to comply with Rule 8 because it did not identify which facts supported each of the eight asserted causes of action, explain how the facts related to the elements of those claims, or specify which defendant was implicated by each claim.
2. Plaintiff failed to state a civil RICO claim because he did not adequately identify the predicate acts, the participants, or the circumstances of the alleged racketeering activity, and any mail-fraud theory did not satisfy Rule 9(b).
3. Plaintiff failed to state an ADA claim against either State Farm or the California Department of Insurance because he did not allege the required elements of a Title II or Title III claim.
4. Plaintiff could not maintain standalone civil claims under 18 U.S.C. § 241 or § 1341 because those criminal statutes do not create a private right of action.
5. Plaintiff failed to state a § 1983 claim because he did not allege that the defendants acted under color of state law, deprived him of a constitutional or federal right, or personally participated in such a deprivation.
6. Dismissal without leave to amend was warranted because plaintiff failed to file the amended complaint ordered by the court or otherwise respond, despite an express warning that noncompliance could result in dismissal.

KEY QUOTATIONS

*“Accordingly, it is **HEREBY RECOMMENDED** that this action be **DISMISSED** without leave to amend for Plaintiff’s failure to state a claim, failure to prosecute, and failure to comply with a court order.” (at 22)*

FACTUAL BACKGROUND

Plaintiff alleged that State Farm improperly used its office address as his mailing address, intercepted or altered mail and contact information, mishandled an insurance appraisal and relocation, and made allegedly false statements concerning hotel accommodations, rental abatements, deductibles, benefits, and settlement. He also alleged that the California Department of Insurance and one of its investigators failed to investigate his complaints. Plaintiff asserted RICO, ADA, criminal-statute, § 1983, and state-law theories, and sought subpoenas, emergency injunctive relief, damages, and declaratory relief.

PROCEDURAL HISTORY

Plaintiff filed the action on April 14, 2025. On April 28, 2025, the court issued a screening order finding no cognizable claim and granting thirty days to file a first amended complaint, expressly warning that failure to amend could result in dismissal without leave to amend. Plaintiff did not file an amended complaint or otherwise respond. The magistrate judge recommended dismissal and directed the clerk to randomly assign the matter to a district judge; objections were due within fourteen days.

DISPOSITION

other

CASES CITED

- Lopez v. Smith, 203 F.3d 1122, 1129 (9th Cir. 2000)
- Calhoun v. Stahl, 254 F.3d 845 (9th Cir. 2001)
- Cato v. United States, 70 F.3d 1103, 1106 (9th Cir. 1995)
- Barren v. Harrington, 152 F.3d 1193 (9th Cir. 1998)
- Ashcroft v. Iqbal, 556 U.S. 662, 677-78 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555-57, 570 (2007)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Swierkiewicz v. Sorema N.A., 534 U.S. 506, 512 (2002)
- Moss v. U.S. Secret Serv., 572 F.3d 962, 969 (9th Cir. 2009)
- Valerio v. Boise Cascade Corp., 80 F.R.D. 626, 635 n.1 (N.D. Cal. 1978)
- United States v. Raygoza-Garcia, 902 F.3d 994, 1001 (9th Cir. 2018)
- Hughey v. Camacho, No. 2:13-CV-2665-TLN-AC, 2014 WL 5473184, at *4 (E.D. Cal. Oct. 23, 2014)
- McHenry v. Renne, 84 F.3d 1172, 1179 (9th Cir. 1996)
- United States v. Sumner, 226 F.3d 1005, 1009 (9th Cir. 2000)
- Kokkonen v. Guardian Life Insurance Co., 511 U.S. 375, 377 (1994)

- Republican Party of Guam v. Gutierrez, 277 F.3d 1086, 1088-89 (9th Cir. 2002)
- Franchise Tax Board v. Construction Laborers Vacation Trust, 463 U.S. 1, 8-9 (1983)
- S.P.R.L. v. Imrex Corp., 473 U.S. 479, 481, 496 (1985)
- Turner v. Cook, 362 F.3d 1219, 1229 (9th Cir. 2004)
- H.J. Inc. v. Northwestern Bell Telephone Co., 492 U.S. 229, 239 (1989)
- Kearns v. Ford Motor Co., 567 F.3d 1120, 1126 (9th Cir. 2009)
- Weinreich v. L.A. County Metro. Transp. Auth., 114 F.3d 976, 978 (9th Cir. 1997)
- McGary v. City of Portland, 386 F.3d 1259, 1265 (9th Cir. 2004)
- Thompson v. Davis, 295 F.3d 890, 895 (9th Cir. 2002)
- Miranda B. v. Kitzhaber, 328 F.3d 1181, 1187-88 (9th Cir. 2003)
- Fortune v. Am. Multi-Cinema, Inc., 364 F.3d 1075, 1082 (9th Cir. 2004)
- Aldabe v. Aldabe, 616 F.2d 1089, 1092 (9th Cir. 1980)
- Velia v. Amador County, No. 2:24-CV-2535-DJC-CKD, 2024 WL 4466742, at *1 (E.D. Cal. Sept. 20, 2024)
- Lobstein v. Washington Mutual Mortgage Pass-Through Certificates WMALT Series 2007-OC1, No. 2:19-cv-07615-SVW-JPR, 2019 WL 9362078, at *3 (C.D. Cal. Dec. 18, 2019)
- Linda R.S. v. Richard D., 410 U.S. 614, 619 (1973)
- Nurre v. Whitehead, 580 F.3d 1087, 1092 (9th Cir. 2009)
- Long v. County of Los Angeles, 442 F.3d 1178, 1185 (9th Cir. 2006)
- Jones v. Williams, 297 F.3d 930, 934 (9th Cir. 2002)
- Will v. Michigan Department of State Police, 491 U.S. 58, 64-66 (1989)
- Howlett v. Rose, 496 U.S. 356, 365 (1990)
- Ouzts v. Maryland National Insurance Co., 505 F.2d 547, 550 (9th Cir. 1974)
- Van Ort v. Estate of Stanewich, 92 F.3d 831, 835 (9th Cir. 1996)
- Simmons v. Navajo County, Arizona, 609 F.3d 1011, 1020-21 (9th Cir. 2010)
- Ewing v. City of Stockton, 588 F.3d 1218, 1235 (9th Cir. 2009)
- OSU Student Alliance v. Ray, 699 F.3d 1053, 1070 (9th Cir. 2012)
- Carlsbad Technology, Inc. v. HIF Bio, Inc., 556 U.S. 635, 639 (2009)
- Ghazali v. Moran, 46 F.3d 52, 53-54 (9th Cir. 1995)
- Ferdik v. Bonzelet, 963 F.2d 1258, 1260-62 (9th Cir. 1992)
- Malone v. U.S. Postal Service, 833 F.2d 128, 130, 132-33 (9th Cir. 1987)
- Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986)
- Lira v. Herrera, 427 F.3d 1164, 1169 (9th Cir. 2005)
- In re Phenylpropanolamine (PPA) Products Liability Litigation, 460 F.3d 1217, 1226 (9th Cir. 2006)
- Thompson v. Housing Authority of City of Los Angeles, 782 F.2d 829, 831 (9th Cir. 1986)
- In re Eisen, 31 F.3d 1447, 1452-53 (9th Cir. 1994)
- Wilkerson v. Wheeler, 772 F.3d 834, 839 (9th Cir. 2014)
- Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)

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