

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Janah Dannell Ortiz v. Fresno Federal Courthouse

No. 1:25-cv-0155 JLT SKO (HC), United States District Court for the Eastern District of California (February 27, 2025)

SUMMARY

The United States District Court for the Eastern District of California dismissed without prejudice Janah Dannell Ortiz’s petition for a writ of mandamus concerning ongoing state criminal proceedings. The court adopted the magistrate judge’s findings in part, declined to interfere under Younger abstention principles, directed the Clerk to provide civil-rights forms, and declined to issue a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Charis E. Tourn
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	February 27, 2025
DOCKET	1:25-cv-0155 JLT SKO (HC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	State pretrial detainee petitioned for a writ of mandamus under 28 U.S.C. § 1361. After the magistrate judge recommended dismissal with prejudice, the district court conducted de novo review, adopted the findings and recommendations in part, dismissed the petition without prejudice, directed the Clerk to provide civil-rights forms, and declined to issue a certificate of appealability.
STANDARD OF REVIEW	De novo review of the magistrate judge's findings and recommendations under 28 U.S.C. § 636(b)(1).
PRECEDENTIAL VALUE	unpublished, nonprecedential district-court order
PARTIES	Janah Dannell Ortiz v. Fresno Federal Courthouse

TOPICS

- habeas corpus
- civil procedure
- civil rights
- federalism

PRACTICE AREAS

Civil procedure

Federal courts

Habeas corpus

Civil rights

QUESTIONS PRESENTED

1. Whether the petition for a writ of mandamus stated a basis for mandamus relief.
2. Whether the federal court should abstain from interfering with Ortiz's ongoing state criminal proceedings.
3. Whether dismissal should be with or without prejudice where the petition potentially implicated civil-rights claims.
4. Whether Ortiz was entitled to a certificate of appealability.

HOLDINGS

1. Mandamus relief was unavailable based on Ortiz's allegations and the relief he sought.
2. The court was required to abstain from interfering with Ortiz's ongoing state criminal proceedings.
3. The petition had to be dismissed without prejudice rather than with prejudice.
4. The court declined to issue a certificate of appealability because Ortiz did not make a substantial showing of the denial of a constitutional right.

KEY QUOTATIONS

“However, dismissal with prejudice could preclude Petitioner from proceeding with a civil rights action implicating the civil rights claims encompassed in the petition, despite the recommendation that the Clerk of Court provide Petitioner a civil rights form to pursue such claims.” (at 2)

“a dismissal on grounds of abstention “must not be with prejudice”” (at 2)

“Reasonable jurists would not find the Court’s determination that Petitioner is not entitled to federal habeas corpus relief debatable, wrong, or deserving of encouragement to proceed further.” (at 3)

FACTUAL BACKGROUND

Ortiz, a state pretrial detainee, alleged a conspiracy involving the Fresno County Police Department, the population, members of Congress, and judges. He also alleged retaliatory action by Judge Wilson and sought release on bail, federal intervention in his ongoing state criminal case, transfer to Georgia, and review of his financial status. The court determined that the requested relief could not be granted through mandamus and that federal intervention was barred by abstention principles.

PROCEDURAL HISTORY

The magistrate judge screened the petition under 28 U.S.C. § 1915A(a) and found the allegations difficult to decipher, mandamus relief unavailable, abstention required because related state criminal proceedings were ongoing, and reclassification as a civil-rights action inappropriate. The magistrate judge recommended dismissal with prejudice. Ortiz filed objections, but did not address the magistrate judge's central findings. The district

court performed de novo review under 28 U.S.C. § 636(b)(1), adopted the findings in part, changed the dismissal to without prejudice, and terminated the action.

DISPOSITION

dismissed

CASES CITED

- *Younger v. Harris*, 401 U.S. 37 (1971)
- *Fiorito v. Entzel*, 829 Fed. Appx. 192, 193 (9th Cir. 2020)
- *American Trial Lawyers Assoc., New Jersey Branch v. New Jersey Supreme Court*, 409 U.S. 467, 469 (1973)
- *Orth v. Johnson*, 2023 U.S. App. LEXIS 4179, at *1 (9th Cir. Feb. 21, 2023)
- *Miller-El v. Cockrell*, 537 U.S. 322, 335-336 (2003)
- *Slack v. McDaniel*, 529 U.S. 473, 484 (2000)
- *Barefoot v. Estelle*, 463 U.S. 880, 893 (1983)