

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON

**Amschel Rothschild El, Moorish American National, Sui Juris,
formerly known as Kondwani Saeed Davis, formerly known as
Amschel Mayer James Rothschild, II v. Sound Exchange, Inc.**

Rothschild El v. Sound Exchange · No. 2:25-cv-01798-TL · Decided December 5, 2025

SUMMARY

The United States District Court for the Western District of Washington strikes seven filings submitted by Plaintiff, including two motions and five notices. The Court explains that no operative pleading exists because the original complaint was dismissed under 28 U.S.C. § 1915(e)(2)(B)(ii), and the amended pleadings remain subject to screening. The motions are struck as premature, and the notices are struck as superfluous, with leave to refile the motions if appropriate.

CASE DETAILS

COURT	United States District Court for the Western District of Washington
WRITING FOR THE COURT	Tana Lin
JURISDICTION	United States District Court for the Western District of Washington
DECIDED	December 5, 2025
DOCKET	2:25-cv-01798-TL
DISPOSITION	other
PROCEDURAL POSTURE	The district court addressed seven filings made by the plaintiff while the case had no operative pleading: two motions and five notices. The court struck all seven filings, striking the motions with leave to refile if appropriate.
STANDARD OF REVIEW	The court applied the screening requirement in 28 U.S.C. § 1915(e)(2)(B)(ii) to the proposed second amended complaint and considered the amendment request under Federal Rule of Civil Procedure 15(a), while determining that the more rigorous statutory screening process made a separate Rule 15(a) futility analysis unnecessary.
PRECEDENTIAL VALUE	unpublished district court order; precedential status unknown

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the proposed second amended complaint should be treated as superseding the first amended complaint for purposes of the pending statutory screening review.
2. Whether the court should conduct a separate Federal Rule of Civil Procedure 15(a) analysis of the motion for leave to amend when the proposed second amended complaint must undergo screening under 28 U.S.C. § 1915(e)(2)(B)(ii).
3. Whether the plaintiff's motions and notices were premature or procedurally unnecessary while no operative pleading existed.

HOLDINGS

1. Because the proposed second amended complaint could not become operative without court approval and statutory screening, the court construed it as having superseded the first amended complaint, rendering the pending screening review of the first amended complaint moot.
2. The court would review the proposed second amended complaint under 28 U.S.C. § 1915(e)(2)(B)(ii) only and would forgo a separate Rule 15(a) analysis.
3. The court struck the plaintiff's motions as premature and struck the notices as superfluous; the motions could be refiled if appropriate.

KEY QUOTATIONS

“A district court maintains “the authority ‘to manage [its] dockets and courtrooms with a view toward the efficient and expedient resolution of cases.’”” (at 2)

“Until such review of the SAC occurs, however, there remains no operative pleading in this case.” (at 3)

FACTUAL BACKGROUND

The plaintiff's original in forma pauperis complaint failed to state a claim and was dismissed. After reconsideration was denied, the plaintiff filed a first amended complaint and sought leave to file a second amended complaint, but the proposed second amended complaint had not yet been screened or approved. During that interim period, the plaintiff filed motions to compel issuance of summons and to restore adversarial process, a motion to stay, and five notices.

PROCEDURAL HISTORY

The court previously dismissed the plaintiff's original in forma pauperis complaint under 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim and denied reconsideration. The plaintiff then filed a first amended complaint and moved for leave to file a second amended complaint, submitting a proposed second amended complaint.

Before screening the proposed second amended complaint, the plaintiff filed the motions and notices addressed in this order.

DISPOSITION

other

CASES CITED

- Lopez v. Smith, 203 F.3d 1122, 1127 (9th Cir. 2000)
- Cahill v. Insider Inc., 131 F.4th 933, 938 (9th Cir. 2025)
- Dietz v. Bouldin, 579 U.S. 40, 47 (2016)
- Aldan v. World Corp., 267 F.R.D. 346, 360–61 (D.N. Mar. I. 2010)

OPINION

Amschel Rothschild El, Moorish American National, Sui Juris, formerly known as Kondwani Saeed Davis, formerly known as Amschel Mayer James Rothschild, II v. Sound Exchange, Inc. PER CURIAM.

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 11 AMSCHEL ROTHSCCHILD EL, Moorish CASE NO. 2:25-cv-01798-TL American National, Sui Juris, formerly 12 known as Kondwani Saeed Davis, formerly ORDER ON EXTRANEIOUS FILINGS known as Amschel Mayer James 13 Rothschild, II, 14 Plaintiff, v. 15 SOUND EXCHANGE, INC., a District of 16 Columbia non-profit corporation, 17 Defendant. 18 19 On December 1, 2025, Plaintiff filed seven submissions on the docket. Dkt. Nos. 22–28. 20 Two of these are motions (Dkt. Nos. 22, 23), while the rest are characterized as notices (Dkt. 21 Nos. 24–28). Having reviewed the filings, the Court STRIKES them as either prematurely or 22 unnecessarily filed, as explained below. 23 24

1 I. DISCUSSION

2 At present, there is no operative pleading in this case. Plaintiff’s original complaint (Dkt. 3 No. 4) did not survive review under 28 U.S.C. § 1915(e)(2)(B)(ii), which mandates that the 4 Court “dismiss [an in forma pauperis (‘IFP’)] case at any time if the court determines that . . . the 5 action or appeal . . . fails to state a claim on which relief may be granted.” See Dkt. No. 15 (order 6 of dismissal); see also Lopez v. Smith, 203 F.3d 1122, 1127 (9th Cir. 2000) (“It is . . . clear that 7 section 1915(e) . . . requires a district court to dismiss an in forma pauperis complaint that fails to 8 state a claim.”). After the Court dismissed Plaintiff’s complaint, Plaintiff requested 9 reconsideration (Dkt. No. 17), which the Court denied (Dkt. No. 19). 10 On November 10, 2025, Plaintiff filed a first amended complaint (“FAC”). Dkt. No. 18. 11 Three days later, on November

13, 2025, Plaintiff filed a motion for leave to file a second 12 amended complaint (“SAC”) (Dkt. No. 20), along with a proposed SAC (Dkt. No. 20-1). Before 13 the Court, then, are: (1) a FAC that must be reviewed under Section 1915(e)(2)(B)(ii), which 14 governs the Court’s screening of IFP pleadings; (2) a motion for leave to amend, which must be 15 reviewed under Federal Rule of Civil Procedure 15(a), which governs amended pleadings; and 16 (3) a SAC, which, like the FAC, must ultimately be reviewed under Section 1915(e)(2)(B)(ii). 17 A district court maintains “the authority ‘to manage [its] dockets and courtrooms with a 18 view toward the efficient and expedient resolution of cases.’” *Cahill v. Insider Inc.*, 131 F.4th 19 933, 938 (9th Cir. 2025) (quoting *Dietz v. Bouldin*, 579 U.S. 40, 47 (2016)) (alteration in 20 original). As both the FAC and SAC are, functionally, proposed IFP complaints that cannot 21 become operative pleadings without the Court’s approval, see 28 U.S.C. § 1915(e)(2)(B)(ii), the 22 Court construes the SAC as having superseded the FAC, thus rendering moot any pending

23 Section 1915 review of the FAC. And because the Court’s review of the proposed SAC under 24 Section 1915 is a more rigorous test than the Court’s review of it as a proposed amended 1 pleading under Rule 15(a), the Court will subject the proposed SAC to review under Section 2 1915(e)(2)(B)(ii) only and forgo a Rule 15 analysis. See *Aldan v. World Corp.*, 267 F.R.D. 346, 3 360–61 (D. N. Mar. I. 2010) (noting that “although the Ninth Circuit . . . in the past recognized 4 the symmetry between the ‘futility’ standard under Rule 15(a) and the pre-*Iqbal* dismissal 5 standard under Rule 12(b)(6), the Ninth Circuit . . . has not . . . expressly recognized a continuing 6 symmetry between the Rule 15(a) ‘futility’ standard and the Rule 12(b)(6) standard as the latter 7 standard was reformulated in *Iqbal*”). 8 Until such review of the SAC occurs, however, there remains no operative pleading in 9 this case. Therefore, Plaintiff’s motions (Dkt. Nos. 23, 24) are premature, and Plaintiff’s notices 10 (Dkt. Nos. 24–28) are superfluous to the proceedings. Accordingly, the Court STRIKES the 11 motions, with leave to refile, if appropriate. The Court also STRIKES the notices, but cautions 12 Plaintiff that materials that supplement a pleading or motion must be attached to the relevant 13 pleading or motion, then filed altogether as a single document. See Dkt. No. 15 at 6 (advising 14 Plaintiff that any documentation supporting his amended complaint must be filed with the 15 amended complaint as a single document). Materials that do not directly support or supplement a 16 pleading or motion should not be filed on the docket. 17 // 18 // 19 // 20 // 21 // 22 // 23 // 24 //

1 II. CONCLUSION

2 Therefore, it is hereby ORDERED: 3 (1) Plaintiff’s motion to compel issuance of summons and to restore adversarial 4 process (Dkt. No. 22) is STRICKEN. 5 (2) Plaintiff’s motion to stay (Dkt. No. 23) is STRICKEN. 6 (3) Plaintiff’s notices (Dkt. Nos. 24, 25, 26, 27, 28) are STRICKEN. 7 8 // Dated this 5th day of December, 2025. 10 Tana Lin 4 United States District Judge 12 13 14 15 16 17 18 19 20 21 22 23 24

