

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Abraham Moses v. State of California Attorney General

Moses · No. CV 25-03518-ODW-AS · Decided June 24, 2025

SUMMARY

The United States District Court for the Central District of California issued an order to show cause addressing whether to dismiss Abraham Moses’s pretrial habeas petition under the Younger abstention doctrine. The court concluded that the state criminal proceedings were ongoing, that the Younger criteria appeared satisfied, and that the petition did not presently establish extraordinary circumstances warranting federal intervention; it gave Moses until July 24, 2025, to provide specific facts supporting an exception to abstention.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Alka Sagar, United States Magistrate Judge
JURISDICTION	United States District Court for the Central District of California
DECIDED	June 24, 2025
DOCKET	CV 25-03518-ODW-AS
DISPOSITION	other
PROCEDURAL POSTURE	A state pretrial detainee filed a petition for a writ of habeas corpus challenging ongoing California criminal proceedings. The district court construed the petition under 28 U.S.C. § 2241 and issued an order to show cause why the petition should not be dismissed under Younger abstention.
STANDARD OF REVIEW	The petition was screened under Rule 4 of the Rules Governing Section 2254 Cases, as applied through Rule 1(b), to determine whether it plainly appeared that petitioner was not entitled to relief.
PRECEDENTIAL VALUE	Unknown; district-court order to show cause
PARTIES	Abraham Moses v. State of California Attorney General

TOPICS

- federal habeas corpus
- criminal procedure
- due process
- speedy trial
- civil procedure

PRACTICE AREAS

federal habeas corpus

criminal procedure

constitutional law

civil procedure

QUESTIONS PRESENTED

1. Whether the petition should be construed under 28 U.S.C. § 2241 because petitioner was a pretrial detainee not held pursuant to a state-court judgment.
2. Whether Younger abstention appears to require dismissal of the federal habeas action because the state criminal proceedings are ongoing, implicate important state interests, provide an adequate opportunity to raise constitutional claims, and would be effectively enjoined by the requested relief.
3. Whether petitioner alleged extraordinary circumstances, including great and immediate irreparable injury, bad faith, harassment, or state-court bias, that could justify federal intervention in the ongoing state proceedings.
4. Whether petitioner should be given an opportunity to show cause before dismissal rather than having the petition dismissed immediately under Rule 4.

HOLDINGS

1. A habeas petition filed by a state defendant who is not in custody pursuant to a state-court judgment may be treated as arising under 28 U.S.C. § 2241.
2. The allegations, as currently presented, satisfy the Younger abstention criteria because the state criminal proceedings are pending, implicate important state interests, provide an adequate opportunity to litigate constitutional claims, and would be effectively enjoined by the requested federal relief.
3. Conclusory allegations of bias, bad faith, or harassment do not establish the extraordinary circumstances necessary for federal intervention in ongoing state criminal proceedings; specific factual allegations are required.

KEY QUOTATIONS

“Younger directs that federal courts abstain from addressing asserted violations of federal constitutional rights where: (1) state judicial proceedings are still pending; (2) the state proceedings implicate important state interests; (3) the state proceedings offer an adequate opportunity to raise constitutional claims; and (4) the requested relief seeks to enjoin or has the practical effect of enjoining the ongoing state proceedings.”

“Petitioner must provide more than conclusory assertions of bias, bad faith, and/or harassment – he must present specific factual allegations that support a reasonable inference that bias, bad faith, and/or harassment is present.”

FACTUAL BACKGROUND

Abraham Moses was a California pretrial detainee awaiting trial on an attempted-murder charge in Los Angeles County Superior Court. He alleged that he was being held without due process and in violation of his speedy-trial rights because he had been found incompetent to stand trial, and he also alleged violations of California's Racial Justice Act. He sought immediate release and compensation, but the federal court found that the state

proceedings remained ongoing and that his allegations of bias, bad faith, and harassment were conclusory and unsupported by specific facts.

PROCEDURAL HISTORY

Petitioner filed the federal petition on April 21, 2025 while awaiting trial in Los Angeles County Superior Court. The court screened the petition under Rule 4, determined that the requested relief would interfere with ongoing state criminal proceedings, and ordered petitioner to submit a supplemental statement addressing the Younger exceptions by July 24, 2025. The court did not enter a final dismissal in this order.

DISPOSITION

other

CASES CITED

- Stow v. Murashige, 389 F.3d 880, 886 (9th Cir. 2004)
- Younger v. Harris, 401 U.S. 37 (1971)
- Bean v. Matteucci, 986 F.3d 1128, 1133-34 (9th Cir. 2021)
- Arevalo v. Hennessy, 882 F.3d 763, 765 (9th Cir. 2018)
- Middlesex Cnty. Ethics Comm. v. Garden State Bar Ass'n, 457 U.S. 423, 431-32, 435 (1982)
- Colorado River Water Conservation Dist. v. United States, 424 U.S. 800, 816 n.22 (1976)
- Kenneally v. Lungren, 967 F.2d 329, 331-32 (9th Cir. 1992), cert. denied, 506 U.S. 1054 (1993)
- Beltran v. California, 871 F.2d 777, 782 (9th Cir. 1988)
- Kelly v. Robinson, 479 U.S. 36, 49 (1986)
- Pennzoil Co. v. Texaco, Inc., 481 U.S. 1, 15 (1987)
- People v. Fields, 62 Cal. 2d 538, 540 (Cal. 1965)
- Brown v. Ahern, 676 F.3d 899, 901 (9th Cir. 2012)
- Carden v. Montana, 626 F.2d 82 (9th Cir.)
- Drury v. Cox, 457 F.2d 764, 764-65 (9th Cir. 1972) (per curiam)
- Perez v. Ledesma, 401 U.S. 82, 85 (1971)
- Canatella v. California, 404 F.3d 1106, 1112 (9th Cir. 2005)
- Baffert v. California Horse Racing Bd., 332 F.3d 613, 621 (9th Cir. 2003)
- Collins v. Kendall Cnty., Ill., 807 F.2d 95, 98 (7th Cir. 1986)
- Schwartzmiller v. Roberts, 62 F.3d 1425 (9th Cir. 1995) (unpublished)
- Roberts v. Carrothers, 812 F.2d 1173, 1177 (9th Cir. 1987)