

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Matthew v. United States

No. 3:25-cv-01664-JES-JLB (S.D. Cal. Aug. 25, 2025) · No. 3:25-cv-01664-JES-JLB · Decided August 25, 2025

SUMMARY

The United States District Court for the Southern District of California dismissed Jacob Matthew’s first amended complaint under 28 U.S.C. § 1915(e) for failure to state a claim. The action sought to compel the United States, the Department of State, the San Diego Passport Agency, and the Secretary of State to issue a passport without requiring a Social Security number. The court dismissed without leave to amend and denied the plaintiff’s other motions as moot, directing the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Southern District of California
JURISDICTION	United States District Court for the Southern District of California
DECIDED	August 25, 2025
DOCKET	3:25-cv-01664-JES-JLB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se plaintiff filed a first amended complaint seeking to compel defendants to issue a United States passport without requiring a Social Security number. The district court screened the amended complaint under 28 U.S.C. § 1915(e), dismissed it without leave to amend, denied in forma pauperis status and the remaining motions, and directed the clerk to close the case.
STANDARD OF REVIEW	Mandatory sua sponte screening of an in forma pauperis complaint under 28 U.S.C. § 1915(e), including dismissal when the complaint fails to state a claim upon which relief may be granted.
PRECEDENTIAL VALUE	Unknown
PARTIES	Jacob Matthew v. United States, United States Department of State, San Diego Passport Agency, Marco Rubio, in his official capacity as Secretary of State

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QUESTIONS PRESENTED

1. Whether the first amended complaint stated a claim upon which relief could be granted under 28 U.S.C. § 1915(e).
2. Whether plaintiff should receive leave to amend after repeating the same allegations that had rendered the original complaint deficient.
3. Whether plaintiff's pending motions should be granted after dismissal of the first amended complaint.

HOLDINGS

1. The first amended complaint failed to state a claim upon which relief could be granted and was subject to dismissal under 28 U.S.C. § 1915(e).
2. The court dismissed the first amended complaint without leave to amend.
3. The court denied all other pending motions as moot, including the motions for in forma pauperis status, clarification of equitable status, an in-chambers conference, a preliminary injunction, and a hearing.

KEY QUOTATIONS

“Consequently, the Court finds that Plaintiff once again fails to state a claim upon which relief may be granted and DISMISSES the FAC pursuant to 28 U.S.C. § 1915(e) without leave to amend.” (at 2)

“Because Plaintiff fails to state a claim upon which relief may be granted, the Court DENIES all other motions as moot.” (at 2)

FACTUAL BACKGROUND

Jacob Matthew sought to compel the United States, the Department of State, the San Diego Passport Agency, and the Secretary of State to issue him a passport without requiring a Social Security number. His first amended complaint contained the same factual allegations as his original complaint. The court concluded that those allegations did not state a claim for relief.

PROCEDURAL HISTORY

Plaintiff filed the initial complaint on June 30, 2025. The court dismissed that complaint on July 2, 2025, under 28 U.S.C. § 1915(e), granted leave to amend, and found that plaintiff failed to state a claim. Plaintiff filed the first amended complaint on July 22, 2025, along with motions for in forma pauperis status, clarification of equitable status, an in-chambers conference, a preliminary injunction, and a hearing. Because the amended complaint repeated the same factual allegations and still failed to state a claim, the court dismissed it without leave to amend and denied the remaining motions as moot.

DISPOSITION

dismissed

CASES CITED

- *Lopez v. Smith*, 203 F.3d 1122, 1127 (9th Cir. 2000)
- *Cato v. United States*, 70 F.3d 1103, 1106 (9th Cir. 1995)
- *Barren v. Harrington*, 152 F.3d 1193 (9th Cir. 1998)
- *Zucco Partners, LLC v. Digimarc Corp.*, 552 F.3d 981, 1007 (9th Cir. 2009)

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