

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Wayne Matthew Hasbrook v. Dr. Audree Adreana, et al.

No. 2:25-cv-1131 TLN CSK P, United States District Court for the Eastern District of California (September 8, 2025)

SUMMARY

The United States District Court for the Eastern District of California denied Wayne Matthew Hasbrook’s request for an interview with a U.S. Marshal. The court advised that the action had not commenced because Hasbrook had not paid the filing fee or submitted a complete in forma pauperis application and certified inmate trust account statement, and it noted that abstention principles applied because of a pending state criminal proceeding. The court re-served prior orders and granted Hasbrook 30 days to file objections and the required filing materials.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Chi Soo Kim
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 8, 2025
DOCKET	2:25-cv-1131 TLN CSK P
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a change of address and requested an interview with a U.S. Marshal while his civil rights action remained subject to a prior recommendation for dismissal based on failure to pay the filing fee or submit a compliant in forma pauperis application.
PRECEDENTIAL VALUE	Unknown; district court order with no reporter citation or stated precedential designation.

TOPICS

- civil procedure
- subject matter jurisdiction
- federalism
- section 1983
- prisoners rights

PRACTICE AREAS

- civil procedure
- civil rights
- federal courts
- prisoner litigation

QUESTIONS PRESENTED

1. Whether plaintiff's request for an interview with a U.S. Marshal should be granted.
2. Whether the federal court could address issues raised in plaintiff's filing while a state criminal proceeding was pending.
3. Whether the court could screen plaintiff's complaint before plaintiff paid the filing fee or submitted a compliant application to proceed in forma pauperis.

HOLDINGS

1. The action was not yet commenced for screening purposes because plaintiff had neither paid the filing fee nor submitted a completed in forma pauperis application with a certified inmate trust account statement covering the six months before filing.
2. The federal court could not exercise jurisdiction over the issues raised in the filing because a state criminal proceeding was pending and no special or extraordinary circumstances were identified to justify federal intervention.
3. Plaintiff's request for an interview with a U.S. Marshal was denied.

KEY QUOTATIONS

“Plaintiff is advised that this action is not yet commenced because plaintiff has not paid the Court’s filing fee or provided a completed application to proceed in forma pauperis accompanied by an inmate trust account statement for the six months prior to the filing of this case.” (Order at 2)

“when there is a pending state criminal proceeding, federal courts must refrain from enjoining the state prosecution absent special or extraordinary circumstances” (Order at 2)

FACTUAL BACKGROUND

Wayne Matthew Hasbrook was a Sacramento County detainee who reported that he had been moved to the Mental Health Treatment Center and requested an interview with a U.S. Marshal. A state criminal complaint was pending against him in Sacramento County Superior Court, where he had appointed counsel and further proceedings were scheduled. In the federal action, plaintiff had not paid the filing fee or submitted a complete in forma pauperis application accompanied by the required six-month inmate trust account statement.

PROCEDURAL HISTORY

The court previously ordered plaintiff to pay the filing fee or submit a completed application to proceed in forma pauperis with a six-month certified inmate trust account statement. On June 23, 2025, the court recommended dismissal for failure to comply, and the findings and recommendations were re-served after an earlier mailing was returned. In this order, the court denied plaintiff's request for a U.S. Marshal interview, directed re-service of the prior orders, and granted thirty days to file objections and cure the filing-fee or in forma pauperis deficiency.

DISPOSITION

other

CASES CITED

- People v. Hasbrook, No. 25MI003396
- Daniels-Hall v. National Education Association, 629 F.3d 992, 999 (9th Cir. 2010)
- White v. Martel, 601 F.3d 882, 885 (9th Cir. 2010)
- Younger v. Harris, 401 U.S. 37, 45 (1971)

OPINION

Adreana

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10

11 WAYNE MATTHEW HASBROOK, No. 2:25-cv-1131 TLN CSK P

12 Plaintiff, 13 v.

ORDER

14 DR. AUDREE ADREANA, et al., 15 Defendants. 16 17 Plaintiff is a Sacramento County
detainee.1 On September 3, 2025, plaintiff filed a 18 change of address, noting he is currently
housed at the Mental Health Treatment Center, and 19 seeks an interview with a U.S. Marshal.
(ECF No. 21.) Plaintiff's request is denied. 20 I. Background 21 On June 23, 2025, the Court
recommended that this action be dismissed based on 22 plaintiff's failure to file an application to
proceed in forma pauperis and a certified copy of his 23 1 Sacramento County Superior Court
records confirm that a criminal complaint was filed against 24 plaintiff. People v. Hasbrook, No.
25MI003396. The court may take judicial notice of facts that are "not subject to reasonable dispute
because it . . . can be accurately and readily determined 25 from sources whose accuracy cannot
reasonably be questioned," Fed. R. Evid. 201(b), including undisputed information posted on
official websites. Daniels-Hall v. National Education 26 Association, 629 F.3d 992, 999 (9th Cir.
2010). It is appropriate to take judicial notice of the 27 docket sheet of a California court. White v.
Martel, 601 F.3d 882, 885 (9th Cir. 2010). The address of the official website of the Sacramento
County Superior Court is 28 <https://services.saccourt.ca.gov/PublicCaseAccess/Criminal/>
(accessed Sept. 5, 2025). 1 inmate trust account statement, or pay the Court's filing fee. (ECF No.
19.) The findings and 2 recommendations were re-served on plaintiff on August 19, 2025, but were
returned by the post 3 office on September 2, 2025, noting plaintiff had been released. 4 II.
Discussion 5 Plaintiff is advised that this action is not yet commenced because plaintiff has not
paid the 6 Court's filing fee or provided a completed application to proceed in forma pauperis

accompanied 7 by an inmate trust account statement for the six months prior to the filing of this case. The Court 8 is unable to screen plaintiff's complaint until he pays the Court's filing fee or complies with the

9 April 28, 2025 order. Further, this Court does not have jurisdiction over the issues raised in his 10 September 3, 2025 filing.² See *Younger v. Harris*, 401 U.S. 37, 45 (1971) (when there is a 11 pending state criminal proceeding, federal courts must refrain from enjoining the state 12 prosecution absent special or extraordinary circumstances). Plaintiff's request for an interview 13 with the U.S. Marshal (ECF No. 21) is denied.³ 14 III. Conclusion 15 Accordingly, IT IS HEREBY ORDERED that: 16 1. Plaintiff's request for an interview with the U.S. Marshal (ECF No. 21) is denied. 17 2. The Clerk of the Court is directed to re-serve a copy of the Court's April 28, 2025 18 order (ECF No. 11) and June 23, 2025 findings and recommendations (ECF No. 19) 19 on plaintiff at his current address; and 20 3. Plaintiff is granted thirty days from the date of this order to file objections to the 21 findings and recommendations, accompanied by a completed application to proceed in 22 23 2 In addition, plaintiff is not required to provide his Social Security number on court filings, and he should refrain from doing so in the future. Plaintiff also asks the Court to apply for plaintiff's 24 SSI, Indian Affairs money, military disability, and in home health care. (ECF No. 21-1 at 2.) Plaintiff is advised that the Court is unable to make those applications on behalf of plaintiff. 25 3 Review of the state court docket in No. 25MI003396 confirms that plaintiff was appointed 26 counsel to represent him in the criminal proceedings, and that the case is currently set for further 27 proceedings on September 17, 2025, at 8:30 a.m. in Department 04. Because plaintiff is represented by counsel in the state court action, plaintiff should direct his requests for assistance 28 to his attorney, or raise them with the state court judge at the hearing.] forma pauperis and a certified inmate trust account statement for the six months prior 2 to the filing of this action, or payment of the Court's filing fee. 3 4. Plaintiff is cautioned that failure to comply with this order will result in sending the 4 findings and recommendations to the district court for review and adoption. 5 6 || Dated: September 8, 2025 7 2 1 Cnn Spe \L

CHI SOO KIM

8 UNITED STATES MAGISTRATE JUDGE

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