

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

AuCopious, LLC v. SPG14, LLC

No. 1:22-cv-01073-JLT-CDB (E.D. Cal. May 9, 2025) · No. 1:22-cv-01073-JLT-CDB · Decided May 12, 2025

SUMMARY

The United States District Court for the Eastern District of California dismissed the action for lack of subject matter jurisdiction. The court held that Revised Statute 2477 does not create an independent federal cause of action, the Declaratory Judgment Act does not independently confer federal-question jurisdiction, and the dispute did not present a substantial federal question. Because original jurisdiction was absent, the court also dismissed the related state-law public nuisance claim and directed the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jennifer L. Thurston
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 12, 2025
DOCKET	1:22-cv-01073-JLT-CDB
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court issued an order to show cause why the action should not be dismissed for lack of subject matter jurisdiction, considered Plaintiffs' response and Defendants' response, and dismissed the action in its entirety.
STANDARD OF REVIEW	The court independently examined its subject matter jurisdiction, with the burden on Plaintiffs as the parties asserting jurisdiction to establish that jurisdiction exists.
PRECEDENTIAL VALUE	nonprecedential district court order
PARTIES	AuCopious, LLC, James E. Davis, Roy A. Walker v. SPG14, LLC, Dean B. Larimer, Barbara E. Robinson, as trustee of the Barbara E. Robinson Trust

TOPICS

subject matter jurisdiction

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PRACTICE AREAS

civil procedure

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QUESTIONS PRESENTED

1. Whether the Declaratory Judgment Act or R.S. 2477 independently confers federal-question subject matter jurisdiction over Plaintiffs' declaratory-relief claim.
2. Whether Plaintiffs' claim presents a substantial federal question sufficient for jurisdiction under 28 U.S.C. § 1331.
3. Whether the court could exercise supplemental jurisdiction over Plaintiffs' state-law public-nuisance claim absent original jurisdiction.

HOLDINGS

1. The Declaratory Judgment Act does not create an independent basis for federal-question subject matter jurisdiction.
2. R.S. 2477 does not itself create an independent cause of action or confer federal-question jurisdiction under 28 U.S.C. § 1331.
3. The declaratory-relief claim does not arise under federal law because it does not present a substantial dispute concerning the validity, construction, or effect of R.S. 2477 or another federal law.
4. The court lacked supplemental jurisdiction over Plaintiffs' state-law public-nuisance claim because no claim within the court's original jurisdiction remained.

KEY QUOTATIONS

“Although this assertion does not specifically speak to the Court’s jurisdiction, it bears repeating that the Declaratory Judgment Act does not create an independent basis for federal question jurisdiction.” (at 3)

“In sum, because the meaning or effect of R.S. 2477, or any other federal law, is not actually disputed and substantial to the determination of this action, and because R.S. 2477 does not give rise to an independent cause of action, it is not apparent from the face of the complaint that Plaintiffs’ claim “arises under” federal law.” (at 9)

“At its core, this is a dispute between California landowners over California real property.” (at 9)

FACTUAL BACKGROUND

Plaintiffs own approximately 110 patented and unpatented mining claims in Kern County, California. They alleged that Studhorse Canyon Road, Zenda Road, and the Cowboy Roads cross Defendants' land and provide access to the claims, but that Defendants blocked the roads with locked gates. Plaintiffs sought declaratory and injunctive relief declaring the roads public under R.S. 2477, as well as relief on a public-nuisance claim.

PROCEDURAL HISTORY

Plaintiffs filed a third amended complaint asserting declaratory relief concerning alleged R.S. 2477 roads and a California public-nuisance claim. The court previously dismissed or otherwise removed claims involving the County of Kern, the United States, and the Bureau of Land Management, then ordered Plaintiffs to show cause why the remaining action should not be dismissed for lack of subject matter jurisdiction. After reviewing the parties' responses, the court concluded that neither R.S. 2477 nor the Declaratory Judgment Act supplied federal-question jurisdiction and dismissed the case.

DISPOSITION

dismissed

CASES CITED

- *Gunn v. Minton*, 568 U.S. 251, 256 (2013)
- *Kokkonen v. Guardian Life Insurance Co. of America*, 511 U.S. 375, 377 (1994)
- *Exxon Mobil Corp. v. Allapattah Services, Inc.*, 545 U.S. 546, 552 (2005)
- *Advanced Integrative Medical Science Institute, PLLC v. Garland*, 24 F.4th 1249, 1256 (9th Cir. 2022)
- *Republican Party of Guam v. Gutierrez*, 277 F.3d 1086, 1088-89 (9th Cir. 2002)
- *Franchise Tax Board of State of California v. Construction Laborers Vacation Trust for Southern California*, 463 U.S. 1, 8-9, 27-28 (1983)
- *Longview Tugboat Co. v. Jameson*, 218 F.2d 547, 548 (9th Cir. 1955)
- *City of Reno v. Netflix, Inc.*, 52 F.4th 874, 876 (9th Cir. 2022)
- *Lyon v. Gila River Indian Community*, 626 F.3d 1059, 1065, 1076-77 (9th Cir. 2010)
- *Central Pacific Railway Co. v. Alameda County*, 284 U.S. 463, 471-73 (1932)
- *Southern Utah Wilderness Alliance v. United States Department of Interior*, 44 F.4th 1264, 1268 (10th Cir. 2022)
- *Great Old Broads for Wilderness v. Kimbell*, 709 F.3d 836, 842 (9th Cir. 2013)
- *Calhoon v. Sell*, 71 F. Supp. 2d 990, 996 (D.S.D. 1998)
- *Hazel Green Ranch, LLC v. U.S. Department of Interior*, 2008 WL 2876194, at *18 (E.D. Cal. July 24, 2008)
- *Leisnoi, Inc. v. United States*, 170 F.3d 1188, 1191 (9th Cir. 1999)
- *Adams v. United States*, 687 F. Supp. 1479, 1481 (D. Nev. 1988), *aff'd in part, vacated in part*, 3 F.3d 1254 (9th Cir. 1993)
- *Friends of Panamint Valley v. Kempthorne*, 499 F. Supp. 2d 1165, 1175, 1177 (E.D. Cal. 2007)
- *Fairhurst Family Association, LLC v. U.S. Forest Service, Department of Agriculture*, 172 F. Supp. 2d 1328, 1331 (D. Colo. 2001)
- *Alleman v. United States*, 372 F. Supp. 2d 1212, 1225 (D. Or. 2005)
- *Mills v. United States*, 742 F.3d 400, 402-09 (9th Cir. 2014)
- *Owyhee County, Idaho v. United States*, 2022 WL 60627, at *7-8 (D. Idaho Jan. 5, 2022)
- *Standage Ventures, Inc. v. State of Arizona*, 499 F.2d 248, 249-50 (9th Cir. 1974)
- *Merced Irrigation District v. County of Mariposa*, 941 F. Supp. 2d 1237, 1259 (E.D. Cal. 2013)

- United States v. Carpenter Society, 2016 WL 4392810, at *13 (D. Nev. Aug. 16, 2016)
- McKown v. United States, 908 F. Supp. 2d 1122, 1145 (E.D. Cal. 2012), aff'd, 613 F. App'x 656 (9th Cir. 2015)
- Ball v. Stephens, 68 Cal. App. 2d 843, 845 (1945)
- Elk Grove Unified School District v. Newdow, 542 U.S. 1, 11 (2004)
- Hill v. Warsewa, 947 F.3d 1305, 1309-10 (10th Cir. 2020)
- The Wilderness Society v. Kane County, Utah, 632 F.3d 1162, 1170 (10th Cir. 2011)
- Grocery Manufacturers Association v. EPA, 693 F.3d 169, 181-82 (D.C. Cir. 2012)
- United States v. Kama, 394 F.3d 1236, 1238 (9th Cir. 2005)

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