

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Sandford v. Terranova DDP

No. 2:25-cv-00808-DC-CSK PS, United States District Court for the Eastern District of California (June 3, 2025)

SUMMARY

The United States District Court for the Eastern District of California recommends denying James Sandford’s application to proceed in forma pauperis and dismissing his complaint without leave to amend. The court concludes that the complaint fails to establish subject-matter jurisdiction, does not comply with Federal Rule of Civil Procedure 8, and asserts claims against judges protected by judicial immunity. The court also denies as moot the plaintiff’s request for documents and recommends closing the case.

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	June 3, 2025
DOCKET	2:25-cv-00808-DC-CSK PS
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff proceeding pro se filed a complaint and an application to proceed in forma pauperis. The magistrate judge screened the complaint and issued an order and findings and recommendations recommending denial of in forma pauperis status and dismissal without leave to amend.
STANDARD OF REVIEW	Screening under 28 U.S.C. § 1915(e)(2)(B); the court accepts well-pleaded factual allegations as true and construes them in the light most favorable to the plaintiff, but need not accept conclusory allegations, unreasonable inferences, or unwarranted factual deductions.
PRECEDENTIAL VALUE	nonprecedential

PARTIES

James Sandford v. Terranova DDP, Christopher E. Kruger, Richard K. Sueyoshi, Steven M. Gevercer, Dale A. Drozd, Jeff Long and Associates, Lavangie Law Group

TOPICS

subject matter jurisdiction

pleadings

civil procedure

motions to dismiss

PRACTICE AREAS

civil procedure

federal courts

constitutional immunity

QUESTIONS PRESENTED

1. Whether the complaint established federal subject matter jurisdiction.
2. Whether the complaint satisfied Federal Rule of Civil Procedure 8 by providing a short and plain statement with sufficient factual detail.
3. Whether the claims against the judges were barred by absolute judicial immunity.
4. Whether the deficiencies in the complaint could be cured by amendment.
5. Whether plaintiff's discovery request was properly directed to the court before discovery could commence.

HOLDINGS

1. The complaint failed to establish federal subject matter jurisdiction because it did not plead a federal-law claim and did not adequately allege diversity of citizenship.
2. The complaint failed to comply with Rule 8 because its conclusory list of claims did not provide fair notice of the claims, the defendants' alleged acts, or the grounds on which the claims rested.
3. A court may deny leave to proceed in forma pauperis at the outset and dismiss an action when the face of the proposed complaint shows that the action is frivolous, lacks merit, fails to state a claim, or is otherwise subject to dismissal under § 1915(e)(2)(B).
4. The judicial defendants had absolute immunity from claims based on acts performed in their judicial capacities.
5. Leave to amend should be denied because amendment would be futile.

KEY QUOTATIONS

"Federal courts are presumed to lack jurisdiction, 'unless the contrary appears affirmatively from the record.'" (at 4)

"Subject-matter jurisdiction can never be waived or forfeited," (at 4)

"A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." (at 2)

FACTUAL BACKGROUND

Plaintiff alleged that several Sacramento Superior Court judges and an Eastern District of California judge mishandled prior proceedings, and that Terranova, law firms, and attorneys engaged in negligence, misconduct, conspiracy, breach of contract, emotional distress, defamation, abuse of process, and related misconduct. The complaint did not identify a federal-law claim or adequately allege diversity of citizenship, and it did not provide sufficient factual detail connecting specific defendants to particular claims. Plaintiff also submitted a discovery request before the parties had conferred or discovery had commenced.

PROCEDURAL HISTORY

The complaint was initially filed in the Northern District of California and transferred to the Eastern District of California on March 11, 2025. Plaintiff filed an in forma pauperis application and several additional documents, including a discovery request. The magistrate judge denied the discovery request as moot and recommended that the IFP application be denied, the complaint be dismissed without leave to amend, and the case be closed, subject to the parties' right to object under 28 U.S.C. § 636(b)(1).

DISPOSITION

other

CASES CITED

- Escobedo v. Applebees, 787 F.3d 1226, 1234 (9th Cir. 2015)
- Minetti v. Port of Seattle, 152 F.3d 1113, 1115 (9th Cir. 1998)
- Tripathi v. First National Bank & Trust, 821 F.2d 1368, 1370 (9th Cir. 1987)
- McGee v. Department of Child Support Services, 584 F. App'x 638 (9th Cir. 2014)
- Smart v. Heinze, 347 F.2d 114, 116 (9th Cir. 1965)
- Lopez v. Smith, 203 F.3d 1122, 1126-27, 1130-31 (9th Cir. 2000) (en banc)
- Neitzke v. Williams, 490 U.S. 319, 325, 327 (1989)
- Von Saher v. Norton Simon Museum of Art at Pasadena, 592 F.3d 954, 960 (9th Cir. 2010), cert. denied, 564 U.S. 1037 (2011)
- Hebbe v. Pliler, 627 F.3d 338, 342 & n.7 (9th Cir. 2010)
- Western Mining Council v. Watt, 643 F.2d 618, 624 (9th Cir. 1981)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555-57, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Cahill v. Liberty Mutual Insurance Co., 80 F.3d 336, 339 (9th Cir. 1996)
- Kokkonen v. Guardian Life Insurance Co., 511 U.S. 375, 377 (1994)
- Casey v. Lewis, 4 F.3d 1516, 1519 (9th Cir. 1993)
- Bender v. Williamsport Area School District, 475 U.S. 534, 546 (1986)
- Morongo Band of Mission Indians v. California State Board of Equalization, 858 F.2d 1376, 1380 (9th Cir. 1988)

- Gonzalez v. Thaler, 565 U.S. 134, 141 (2012)
- Kimes v. Stone, 84 F.3d 1121, 1129 (9th Cir. 1996)
- Jones v. Community Redevelopment Agency, 733 F.2d 646, 649 (9th Cir. 1984)
- McHenry v. Renne, 84 F.3d 1172, 1178-80 (9th Cir. 1996)
- In re Castillo, 297 F.3d 940, 947 (9th Cir. 2002)
- Demoran v. Witt, 781 F.2d 155, 158 (9th Cir. 1985)
- Cato v. United States, 70 F.3d 1103, 1105-06 (9th Cir. 1995)
- Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998)
- Martinez v. Yist, 951 F.2d 1153, 1156-57 (9th Cir. 1991)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/federal/united-states-district-court-for-the-eastern-district-of-cal/2025/sandford-v-terranova-ddp-5wqj9pm0>