

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Rossmann v. Aldouby

Rossmann · No. 25-cv-07082-CRB (PR) · Decided October 8, 2025

SUMMARY

The United States District Court for the Northern District of California dismissed Brud Rossmann’s pro se prisoner action as duplicative and abusive under 28 U.S.C. § 1915A(b). The court found that Rossmann had previously litigated the same general allegations of judicial wrongdoing in an action dismissed with prejudice and directed the clerk to close the file.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Charles R. Breyer
JURISDICTION	United States District Court for the Northern District of California
DECIDED	October 8, 2025
DOCKET	25-cv-07082-CRB (PR)
DISPOSITION	dismissed
PROCEDURAL POSTURE	A prisoner filed a pro se civil-rights action against a Maryland state-court judge; the federal district court dismissed the action as duplicative and abusive under 28 U.S.C. § 1915A(b).
STANDARD OF REVIEW	Screening of a prisoner complaint under 28 U.S.C. § 1915A; the court treated duplicative litigation as abusive and subject to dismissal.
PRECEDENTIAL VALUE	Unknown; district-court order with no reported citation.

TOPICS

- prisoners rights
- civil rights
- civil procedure

PRACTICE AREAS

- civil procedure
- civil rights
- prisoner litigation

QUESTIONS PRESENTED

1. Whether a prisoner complaint repeating claims previously raised and litigated in an action dismissed with prejudice may be dismissed as duplicative and abusive under 28 U.S.C. § 1915A.

HOLDINGS

1. A prisoner complaint that repeats claims previously raised and litigated in a prior prisoner action dismissed with prejudice may be deemed duplicative and abusive and dismissed under 28 U.S.C. § 1915A(b).

KEY QUOTATIONS

“A prisoner complaint that merely repeats pending or previously litigated claims may be considered abusive and dismissed under the authority of 28 U.S.C. § 1915A.” (at 1)

“This action is DISMISSED as duplicative under the authority of 28 U.S.C. § 1915A(b).” (at 1)

FACTUAL BACKGROUND

Brud Rossmann, while incarcerated at the Maryland Reception, Diagnostic and Classification Center, filed a pro se action alleging wrongdoing by David Aldouby, a judge of the District Court for Baltimore City, Maryland, in connection with Rossmann's Maryland criminal prosecution. Rossmann had previously made the same general allegations of judicial wrongdoing in a prisoner complaint that was dismissed with prejudice. The court concluded that the present complaint repeated those previously litigated allegations.

PROCEDURAL HISTORY

While incarcerated in Maryland, Plaintiff filed this action alleging judicial wrongdoing connected to his Maryland state criminal prosecution. He had previously raised the same general allegations in another prisoner complaint, which was dismissed with prejudice by the District of Maryland. The Northern District of California dismissed the present action as duplicative and abusive and directed the clerk to close the file.

DISPOSITION

dismissed

CASES CITED

- Rossmann v. Albouby, No. 25-cv-02636-PX (D. Md. Sept. 29, 2025) (order of dismissal)
- Cato v. United States, 70 F.3d 1103, 1105 n.2 (9th Cir. 1995)
- Bailey v. Johnson, 846 F.2d 1019, 1021 (5th Cir. 1988)

OPINION

1 2 UNITED STATES DISTRICT COURT 3 NORTHERN DISTRICT OF CALIFORNIA 4 5
BRUD ROSSMANN, Case No. 25-cv-07082-CRB (PR) 6 Plaintiff, 7 v. ORDER OF DISMISSAL
8 DAVID ALDOUBY, Judge, 9 Defendant(s). 10 While Plaintiff Brud Rossman was incarcerated
at the Maryland Reception, Diagnostic and 11 Classification Center, he filed the instant pro se

action alleging various wrongdoing by Judge 12 || David Albouby of the District Court for Baltimore City, Maryland, in connection with plaintiff' s 13. || criminal prosecution in Maryland state court.

Plaintiff raised the same general allegations of 14 || judicial wrongdoing in at least one prior prisoner complaint which was dismissed with prejudice. 3 15 || See *Rossmann v. Albouby*, No. 25-cv-02636-PX (D. Md. Sept. 29, 2025) (order of dismissal). 16 A prisoner complaint that merely repeats pending or previously litigated claims may be i 17 || considered abusive and dismissed under the authority of 28 U.S.C. § 1915A.

Cf. *Cato v. United Z 18 || States*, 70 F.3d 1103, 1105 n.2 (9th Cir. 1995) (citing *Bailey v. Johnson*, 846 F.2d 1019, 1021 (Sth 19 || Cir. 1988)) (duplicative in forma pauperis complaint may be considered abusive and dismissed 20 || under 28 U.S.C. § 1915).

Because plaintiff raised and litigated the same general allegations and 71 claims of judicial wrongdoing raised herein in a prior prisoner complaint that was dismissed with 22 || prejudice, the instant complaint is deemed duplicative and abusive under § 1915A. 23 This action is DISMISSED as duplicative under the authority of 28 U.S.C. § 1915A(b). 24 The clerk is instructed to close the file.

25 IT ISSO ORDERED. 26 || Dated: October 8, 2025 27 AKO CHARLES R. BREYER 28 United States District Judge