

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.

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

