

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Brar v. Apple Inc.

Case No. 1:25-cv-00503-JLT-CDB · No. 1:25-cv-00503-JLT-CDB · Decided June 25, 2025

OPINION

Brar v. Apple Inc.

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 TANBEER SINGH BRAR, Case No. 1:25-cv-00503-JLT-CDB 12 Plaintiff, ORDER
DENYING PLAINTIFF’S MOTIONS

FOR MISCELLANEOUS RELIEF IN CLOSED

13 v. CASE 14 APPLE, INC., (Docs. 13, 14, 15) 15 Defendant. 16 17 Background 18 Plaintiff
Tanbeer Singh Brar (“Plaintiff”), proceeding pro se, initiated this action with the 19 filing of a
complaint on April 30, 2025. (Doc. 1). On May 2, 2025, the Court ordered Plaintiff to 20 show
cause why this action should not be dismissed for lack of subject matter jurisdiction. (Doc. 21 3).
Plaintiff filed his response on May 5, 2025. (Doc. 5). On May 7, 2025, the undersigned issued 22
findings and recommendations to dismiss the action for lack of subject matter jurisdiction. (Doc.
23 7). On May 16, 2025, the assigned district judge adopted the findings and recommendations
and 24 dismissed the complaint without leave to amend. (Doc. 11). Accordingly, the case was (and
25 remains) closed. 26 On May 22, 2025, Plaintiff filed a document labeled “motion to reopen set
hearing,” dated

27 May 18, 2025. (Doc. 13). On June 23, 2025, Plaintiff filed two documents, one titled “motion
for

request for orders on these subject matters” and another titled “motion to waive fees.” (Docs. 14, 1
15). 2 Discussion 3 In Plaintiff’s “motion to reopen set hearing” (Doc. 13), Plaintiff begins by
asserting that the 4 “court cannot violate my rights if [I’m] representing ‘pro se’, and after
declaring obstruction, error 5 or peremptory challenge in this court case the clerk is require to
remove judicial officer Jennifer 6 [L.] [T]hurston to get heard this motion by new assigned
officer.” Id. at 1. Plaintiff then contends 7 that this is a “request to new assigned officer to this case
to read the orders attached [Doc. 7] and 8 [Doc. 11] and determine what is the reason behind to
orders in this way and who is behind this 9 obstruction of judicial system.” Id. at 2. 10 Plaintiff
appears to assert that there is “proper jurisdiction of this court” and requests the 11 Court to
“reopen this case and set court hearing and summon to other party.” Id. Plaintiff then 12 states that

“plaintiff (me) is residence citizen of this same state of California and living in county 13 of Kern ... this case and diversity of states jurisdiction is appropriate by the [defendant] which is 14 the business and register in this same state of California and also have headquarter in this same 15 state of California.” Id. at 9. Plaintiff then asserts that “this matter is interstate in which both 16 parties are from state of California. In which not required any terms of minimum amount in 17 controversy ...” Id. 18 Plaintiff cites to an inapplicable criminal statute for the proposition that the Court “have to 19 order for protection right way.” Id. at 11. Plaintiff concludes by requesting that the Court “[c]hange 20 judicial officer and [r]eopen this court case and take action against all of them behind obstruction 21 of justice.” Id. at 12. 22 Plaintiff also has filed a “motion for request for orders on these subject matters.” (Doc. 14). 23 Plaintiff asserts therein that the Court “reopen this matter,” issue summons, and waive all fees. Id. 24 at 1. Plaintiff’s third filing, titled “motion to [waive] fees,” asks the Court to waive all Court fees 25 as well as PACER fees until he receives recovery, presumably from Defendant. (Doc. 15). 26 In sum, Plaintiff purports to seek to “reopen” this closed case but does not identify any 27 authorities he contends authorize this Court to grant any such relief and advances no new facts, 1 | applying a liberal standard, the undersigned declines to construe Plaintiff’s motions as a motion for 2 | reconsideration. Cf. Local Rule 230(j). As recounted above, the motions ignore the Court’s findings 3 | (Docs. 7, 11) and, in fact, appear to reconfirm that subject matter jurisdiction is lacking. 4 | Accordingly, Plaintiff’s motions are frivolous as they are based on an indisputably meritless legal 5 | theory and baseless factual contentions. See *Neitzke v. Williams*, 490 U.S. 319, 324, 327 (1989). 6 | As Plaintiff was forewarned in two other actions, “repetitive or frivolous filings ... may summarily 7 | be disregarded.”! See *Brar v. California*, No. 1:25-CV-00136-JLT-CDB, 2025 WL 1263140, at *2 8 | (E.D. Cal. May 1, 2025); *Brar v. United States*, No. 1:25-CV-00504-JLT-CDB, 2025 WL 1696100, 9 | at *2 (E.D. Cal. June 17, 2025). Thus, Plaintiff’s motions will be denied. 10 Conclusion 11 Accordingly, IT IS HEREBY ORDERED that Plaintiff’s motions for miscellaneous relief 12 | (Docs. 13, 14, 15) are DENIED. 13 Plaintiff is DIRECTED to refrain from filing further frivolous motions in this closed 14 | action. 15 | IT IS SO ORDERED. '©| Dated: _ June 25, 2025 | Word bo 17 UNITED STATES MAGISTRATE JUDGE 18 19 20 21 22 23 24 25 26 27 28 ' The Court may take judicial notice of court records. *United States v. Wilson*, 631 F.2d 118, 119 (9th Cir. 1980).