

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Tanbeer Singh Brar v. State of California

Brar · No. 1:25-cv-01046 JLT CDB · Decided September 19, 2025

OPINION

Brar

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 TANBEER SINGH BRAR, Case No. 1:25-cv-01046 JLT CDB 12 Plaintiff, ORDER
ADOPTING FINDINGS AND

RECOMMENDATIONS, DISMISSING

13 v. ACTION WITH PREJUDICE AS TIME-

BARRED AND BARRED UNDER THE

14 STATE OF CALIFORNIA, ELEVENTH AMENDMENT

15 Defendant. (Docs. 3, 4, 6) 16 17 Tanbeer Singh Brar, proceeding pro se and in forma pauperis,
seeks to hold the State of 18 California liable for personal injury and the violation of his civil
rights, alleging he was falsely arrested 19 on April 22, 2021. (Doc. 1 at 5, 41, 46.) 20 After having
conducted a preliminary review of Plaintiff’s complaint, on August 25, 2025, the 21 assigned
magistrate judge issued findings and recommendations that this action be dismissed with 22
prejudice because Plaintiff’s claims are time-barred under the applicable statute of limitations.
(Doc. 3.) 23 The magistrate judge found that “Plaintiff was on notice of the bases of his current
claim on April 22, 24 2021, when he alleged that was the date he was unlawfully arrested[,]” that
Plaintiff “has not alleged 25 whether his claims are tolled, and the [magistrate judge] does not find
any tolling statutes applicable 26 here.” (Id. at 5.) The magistrate further found that Plaintiff’s
false arrest claim against the State of 27 California would be barred under the Eleventh
Amendment. (Id.) 28 1 4.) Plaintiff’s objections are not responsive to either the time-bar issue or
the sovereign immunity issue. 2 He fails to cite to any authority supporting his conclusory
allegation that he can bring his claim for false 3 arrest and unlawful force “within [seven] years.”
Further, he objects pursuant to to 28 U.S.C. § 455 4 based on his motion to disqualify the assigned
magistrate judge and the undersigned that was 5 contemporaneously filed with his objections
(Doc. 5), which was denied by the Court on September 18, 6 2025. (Doc. 8.) Plaintiff’s objections
include what appears to be a fictitious, signed document from the 7 “United State [sic] of America
Commissions on Councils of Districts” that purportedly commands the 8 Court to “change

officers on all proceedings of [Plaintiff]” and award him \$97,000.00. (Doc. 4 at 4.) 9 Plaintiff is advised that filing fictitious legal documents before the Court violates Federal Rule of 10 Civil Procedure 11(b) and could expose Plaintiff to the imposition of sanctions, up to and including 11 financial sanctions and the dismissal of his action. See Fed. R. Civ. P. 11(b) (requirement for a party to 12 certify that to the best of his knowledge, information, and belief that a filing presented to the Court, inter 13 alia, “is not being presented for any improper purpose[,] ... the claims, defenses, and other legal 14 contentions are warranted by existing law or by a nonfrivolous argument[,] ... [and] the factual 15 contentions have evidentiary support, or if specifically so identified, will likely have evidentiary support 16 after a reasonable opportunity for further investigation or discovery[.]”); see id. 11(c); *Islamic Shura 17 Council of S. Cal. v. F.B.I.*, 757 F.3d 870, 872 (9th Cir. 2014) (“Rule 11 is intended to deter baseless 18 filings in district court and imposes a duty of reasonable inquiry so that anything filed with the court is 19 well grounded in fact, legally tenable, and not interposed for any improper purpose.”) (internal quotation 20 marks omitted); *Warren v. Guelker*, 29 F.3d 1386, 1390 (9th Cir. 1994) (“Rule 11 applies to pro se 21 plaintiffs[.]”); *Townsend v. Holman Consulting Corp.*, 929 F.2d 1358, 1362 (9th Cir. 1990) (“Our cases 22 have established that sanctions must be imposed on the signer of a paper if either a) the paper is filed for 23 an improper purpose, or b) the paper is ‘frivolous.’”) (citing *Zaldivar v. City of Los Angeles*, 780 F.2d 24 823, 832 (9th Cir. 1986).) Therefore, Plaintiff has not shown he is able to escape the time bar of the 25 statute of limitations or the issue of sovereign immunity in pursuing his action against the State of 26 California.¹ 27 1 For these reasons, Plaintiff’s motion for temporary restraining order (TRO) (Doc. 6) is also DENIED. Because Plaintiff’s 28 action is time-barred and barred under the Eleventh Amendment, he is unable to establish that he is likely to succeed on the 1 According to 28 U.S.C. § 636(b)(1), this Court performed a de novo review of this case. Having 2 || carefully reviewed the matter entire matter, including Plaintiff’s objections, the Court concludes the 3 || findings and recommendations are supported by the record and proper analysis. Thus, the Court 4 || ORDERS: 5 1. The findings and recommendations issued August 25, 2025 (Doc. 3) are ADOPTED IN 6 FULL. 7 2. This action (Doc. 1) is DISMISSED WITH PREJUDICE as time-barred and barred under 8 the Eleventh Amendment. 9 3. The Clerk of the Court is DIRECTED to terminate Plaintiff's motion for miscellaneous relief 10 (Doc. 7) as moot and to CLOSE THIS CASE. 11 tr Is SO ORDERED. 12 : Dated: _ September 19, 2025 : 13 Cari (Town 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28