

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Danielle Victor v. Southwest Wine & Spirits, LLC, et al.

Victor v. Southwest Wine & Spirits · No. 2:23-cv-00690-MEMF-PDx · Decided July 14, 2025

SUMMARY

The court issued an order to show cause why Plaintiff Danielle Victor’s 239-page First Amended Complaint should not be dismissed. The court identified deficiencies under Federal Rules of Civil Procedure 8 and 20, concluded that the asserted criminal-statute claims were not cognizable civil claims, and determined that claims challenging state-court proceedings appeared barred by the Rooker-Feldman doctrine. Plaintiff was ordered either to file a compliant second amended complaint or voluntarily dismiss the action by August 11, 2025.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Patricia Donahue, U.S. Magistrate Judge
JURISDICTION	United States District Court for the Central District of California
DECIDED	July 14, 2025
DOCKET	2:23-cv-00690-MEMF-PDx
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order to show cause why Plaintiff’s First Amended Complaint should not be dismissed and allowed Plaintiff either to file a further amended complaint curing the identified deficiencies or voluntarily dismiss the action without prejudice.
STANDARD OF REVIEW	The court applied the Federal Rule of Civil Procedure 12(b)(6) standard in screening the in forma pauperis complaint under 28 U.S.C. § 1915(e)(2), accepting well-pleaded factual allegations as true and viewing them in the light most favorable to the nonmoving party, while disregarding conclusory allegations, unwarranted factual deductions, and unreasonable inferences. The pro se complaint was construed liberally.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential
PARTIES	Danielle Victor v. Southwest Wine & Spirits, LLC, Wally’s Auction House, LLC, Mel-Jen, Paul Marciano, Maurice Marciano, Christian

Navarro, Thomas Kachani, Navarro Online, LLC, Matthew Marciano, Nancy Hunter, Sami Fromer, Keith Bjelajac, Laura Burns, Christie's Wine, Inc., Christie's Inc., 3900 WA Associates, LLC, Delta Airlines, Inc., Walter Mosley, Nathalie Meza Contreras, Nathalie Meza Contreras Law, PC, Carlos Eduardo Montoya Solis, Juan J. Dominguez, Jae Hyun Kim, Kacey Riccomini, Arthur F. Silbergeld, Thompson Coburn, LLP, Richard Gene Reinis, Amanda Headworth, Blanca Gutierrez, Dominguez Law Firm, PLLC, Sally D. Grieg, LLC, United States of America, Does 1-100

TOPICS

pleadings

subject matter jurisdiction

joinder

motions to dismiss

civil procedure

PRACTICE AREAS

civil procedure

civil rights

employment law

federal jurisdiction

QUESTIONS PRESENTED

1. Whether the First Amended Complaint failed to comply with Federal Rule of Civil Procedure 8 because it did not clearly identify the claims, defendants, factual bases, and requested relief.
2. Whether the First Amended Complaint improperly joined 32 defendants under Federal Rule of Civil Procedure 20.
3. Whether the claims challenging or arising from prior state-court litigation were barred by the Rooker-Feldman doctrine.
4. Whether Plaintiff could assert civil claims based on alleged violations of federal and California criminal statutes.

HOLDINGS

1. The First Amended Complaint appeared subject to dismissal because it did not provide a short and plain statement identifying the claims asserted against each defendant, the factual conduct attributed to each defendant, the legal theories involved, and the relief sought.
2. The First Amended Complaint appeared to improperly join the 32 defendants because Plaintiff did not allege claims against each defendant arising from the same transaction or occurrence and presenting a common question of law or fact.
3. The First Amended Complaint appeared barred by the Rooker-Feldman doctrine to the extent it challenged state-court rulings or sought relief from injuries caused by those rulings.
4. Plaintiff lacked standing to bring federal or state criminal-law claims, and the cited criminal statutes did not provide a basis for civil liability or enforceable individual rights.

KEY QUOTATIONS

“Rooker-Feldman bars “cases brought by state-court losers complaining of injuries caused by state-court judgments rendered before the district court proceedings commenced and inviting district court review and rejection of those judgments.”” (Order section III.C)

“Plaintiff is ORDERED TO SHOW CAUSE why the Court should not recommend that the FAC be dismissed for failure to state actionable claims.” (Order section IV)

FACTUAL BACKGROUND

Plaintiff alleged that, during her employment at Wally’s, she was sexually assaulted, battered, abused, subjected to racism, harassed, discriminated against, retaliated against, and inaccurately paid. She alleged that she was wrongfully terminated after her last shift on June 12, 2019, and that former counsel, courts, arbitrators, government offices, and others later conspired to deprive her of a fair opportunity to litigate related claims. The 239-page First Amended Complaint named 32 defendants but did not identify specific causes of action or clearly connect particular defendants to particular conduct.

PROCEDURAL HISTORY

Plaintiff filed the First Amended Complaint on March 16, 2025. The complaint asserted numerous allegations and requested civil, injunctive, declaratory, monetary, and criminal-related relief against 32 named defendants and Does 1-100. On June 26, 2025, the district judge referred pretrial matters to Magistrate Judge Patricia Donahue. The court determined that the FAC appeared deficient under Federal Rule of Civil Procedure 8, improperly joined defendants under Rule 20, asserted claims barred by the Rooker-Feldman doctrine, and relied in part on criminal statutes that do not create private civil causes of action. Rather than entering a final dismissal, the court ordered Plaintiff to show cause by August 11, 2025.

DISPOSITION

other

CASES CITED

- Bailey v. Clarke, 2012 WL 6720628, at *2 (S.D. Cal. Dec. 21, 2012)
- Stupy v. U.S. Postal Serv., 951 F.2d 1079, 1081 (9th Cir. 1991)
- Aldabe v. Aldabe, 616 F.2d 1089, 1092 (9th Cir. 1980)
- Allen v. Gold Country Casino, 464 F.3d 1044, 1048 (9th Cir. 2006)
- Gilreath v. Bach, No. EDCV 17-0694, 2017 WL 5593017, at *5 (C.D. Cal. Oct. 11, 2017)
- Reed v. East End Props., Inc., No. ED CV 17-955-DMG (KKx), 2018 WL 6131211 (C.D. Cal. Mar. 15, 2018)
- Ellis v. City of San Diego, 176 F.3d 1183, 1189 (9th Cir. 1999)
- Sohal v. City of Merced Police Dep’t, 2009 WL 961465, at *7 (E.D. Cal. Apr. 8, 2009)
- Lopez v. Smith, 203 F.3d 1122, 1126-27 n.7 (9th Cir. 2000) (en banc)
- Omar v. Sea-Land Serv., Inc., 813 F.2d 986, 991 (9th Cir. 1987)
- Reed v. Lieurance, 863 F.3d 1196, 1207-08 (9th Cir. 2017)

- Wong v. Bell, 642 F.2d 359, 361-62 (9th Cir. 1981)
- Rosati v. Igbino, 791 F.3d 1037, 1039 (9th Cir. 2015)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Sprewell v. Golden State Warriors, 266 F.3d 979, 988 (9th Cir. 2001), as amended on denial of reh'g, 275 F.3d 1187 (9th Cir. 2001)
- Barrett v. Belleque, 544 F.3d 1060, 1061-62 (9th Cir. 2008) (per curiam)
- McHenry v. Renne, 84 F.3d 1172, 1177-78 (9th Cir. 1996)
- Exmundo v. Kane, 553 F. App'x 742, 743 (9th Cir. 2014)
- George v. Smith, 507 F.3d 605, 607 (7th Cir. 2007)
- McKee v. Block, 932 F.2d 795, 798 (9th Cir. 1991)
- District of Columbia Court of Appeals v. Feldman, 460 U.S. 462, 476, 482-86 (1983)
- Rooker v. Fidelity Trust Co., 263 U.S. 413, 415-16 (1923)
- Dubinka v. Judges of the Superior Court of the State of Cal., 23 F.3d 218, 221 (9th Cir. 1994)
- Worldwide Church of God v. McNair, 805 F.2d 888, 891, 893 n.4 (9th Cir. 1986)
- Branson v. Nott, 62 F.3d 287, 291 (9th Cir. 1995)
- Exxon Mobil Corp. v. Saudi Basic Indus. Corp., 544 U.S. 280, 284 (2005)
- Noel v. Hall, 341 F.3d 1148, 1154 (9th Cir. 2003)
- Hanson v. Firmat, 272 F. App'x 571, 572 (9th Cir. 2008)
- Cooper v. Ramos, 704 F.3d 772, 779 (9th Cir. 2012)
- Amphastar Pharm. Inc. v. Aventis Pharma SA, 856 F.3d 696, 710 (9th Cir. 2017)