

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Steven Crump v. Joann Kingston, et al.

Crump · No. 25-cv-06548-EMC (EMC) · Decided November 4, 2025

SUMMARY

The United States District Court for the Northern District of California denied Steven Crump’s motion for alternative service on an Alameda County public defender and a superior court judge. The court concluded that the defendants were not subject to suit under 42 U.S.C. § 1983 based on public-defender and judicial immunity principles, and also found the proposed proof of service inadequate.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Edward M. Chen
JURISDICTION	United States District Court for the Northern District of California
DECIDED	November 4, 2025
DOCKET	25-cv-06548-EMC (EMC)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to serve Defendants by an alternative service method.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	Steven Crump v. Joann Kingston, Gloria Rhynes

TOPICS

- service of process
- section 1983
- civil procedure
- government liability

PRACTICE AREAS

- civil procedure
- civil rights
- remedies

QUESTIONS PRESENTED

- Whether Plaintiff should be permitted to serve Defendants by an alternative service method.
- Whether the alleged conduct by Judge Rhynes was protected by absolute judicial immunity.

3. Whether Kingston, a public defender performing traditional defense-counsel functions, acted under color of state law for purposes of 42 U.S.C. § 1983.
4. Whether Plaintiff's certified-mail receipt satisfied California's statutory requirements for service.

HOLDINGS

1. A judge is absolutely immune from liability for acts performed within the judge's judicial capacity, even when the acts are erroneous or exceed the judge's authority; imposing a sentence is a judicial act.
2. A public defender does not act under color of state law when performing a lawyer's traditional functions as counsel to a criminal defendant; therefore, Kingston was not subject to suit under § 1983 for her representation of Plaintiff.
3. A certified-mail receipt did not satisfy the applicable California service requirements, and California Code of Civil Procedure section 415.40 did not apply because the filing showed California addresses for both defendants.

KEY QUOTATIONS

“Judges are entitled to absolute immunity for acts within their judicial capacity, even if taken in error or in an excess of authority.” (at 1)

“a public defender does not act under color of state law when performing a lawyer's traditional functions as counsel to a defendant in a criminal proceeding.” (at 1-2)

FACTUAL BACKGROUND

Crump alleged that Judge Rhynes violated his rights by imposing an unauthorized sentence and that Kingston violated his right to effective assistance of counsel through her representation of him in state court. The filing showed California addresses for both defendants, and Crump submitted a certified-mail receipt as proof of service.

PROCEDURAL HISTORY

Crump brought a civil-rights action under 42 U.S.C. § 1983 against Joann Kingston, a former public defender, and Gloria Rhynes, an Alameda County Superior Court judge. He moved for alternative service and submitted a certified-mail receipt as purported proof of service. The court denied the motion, concluding that the defendants were not subject to suit under § 1983 on the allegations pleaded and that the proof of service was inadequate.

DISPOSITION

other

CASES CITED

- Meek v. County of Riverside, 183 F.3d 962, 965 (9th Cir. 1999)
- Polk Cty. v. Dodson, 454 U.S. 312, 325 (1981)

- Langrock v. Cty. of Ventura, No. CV 17-01200 BRO

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