

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Mahan v. Katz

No. 2:25-cv-3407 AC P (E.D. Cal. Dec. 2, 2025) · No. No. 2:25-cv-3407 AC P · Decided December 2, 2025

SUMMARY

The United States District Court for the Eastern District of California recommends denying the plaintiff's incomplete application to proceed in forma pauperis and dismissing the § 1983 complaint without leave to amend. The court concludes that the public defender's alleged deficiencies in representing the plaintiff did not occur under color of state law, and that the complaint therefore fails to state a claim. The court also finds that amendment would be futile and directs the clerk to randomly assign a district judge.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Allison Claire
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 2, 2025
DOCKET	No. 2:25-cv-3407 AC P
DISPOSITION	other
PROCEDURAL POSTURE	A pro se county inmate filed a 42 U.S.C. § 1983 complaint and an incomplete application to proceed in forma pauperis. The magistrate judge recommended denying in forma pauperis status and dismissing the complaint without leave to amend under the prisoner-screening and failure-to-state-a-claim standards.
STANDARD OF REVIEW	The court screened the prisoner complaint under 28 U.S.C. § 1915A and applied the Rule 12(b)(6)-type plausibility standard, accepting allegations as true and construing them in the light most favorable to the plaintiff. It also considered whether amendment could cure the pleading defects.
PRECEDENTIAL VALUE	unpublished
PARTIES	Colbrin K. Mahan v. Joseph A. Katz

TOPICS

section 1983

prisoners rights

civil rights

pleadings

civil procedure

PRACTICE AREAS

civil rights

prisoner civil rights

federal jurisdiction

civil procedure

QUESTIONS PRESENTED

1. Whether the complaint stated a claim under 42 U.S.C. § 1983 against a public defender for allegedly deficient representation in a criminal case.
2. Whether the incomplete in forma pauperis application should be denied because the complaint was facially without merit.
3. Whether the complaint should be dismissed without leave to amend because its defects could not be cured.

HOLDINGS

1. 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, allegations that Katz was deficient in representing plaintiff did not state a § 1983 claim.
2. Any potential legal-malpractice claims did not come within the jurisdiction of the federal courts.
3. Leave to amend should be denied because the nature of plaintiff's claims made the pleading defects incurable and amendment would be futile.

KEY QUOTATIONS

"In order to avoid dismissal for failure to state a claim a complaint must contain more than "naked assertion[s]," "labels and conclusions," or "a formulaic recitation of the elements of a cause of action."" (at 2)

"Because plaintiff's allegations are about Katz' actions in representing plaintiff in a criminal case, Katz was not acting under color of state law." (at 3)

"The undersigned finds that, as set forth above, the complaint fails to state a claim upon which relief may be granted and that given the nature of the claims, amendment would be futile." (at 3)

FACTUAL BACKGROUND

Plaintiff, a county inmate proceeding without counsel, alleged that Joseph Katz, a deputy public defender, provided ineffective assistance while representing plaintiff in a criminal proceeding. Plaintiff sought compensatory damages and apparently sought recovery of the costs of his criminal defense. Although plaintiff listed Jonathan Miller in the defendants section, the court concluded that this was apparently a mistaken reference to another case and that all allegations concerned Katz.

PROCEDURAL HISTORY

Plaintiff filed a civil rights complaint alleging that defendant, an appointed public defender, provided ineffective assistance in a criminal case. Plaintiff also filed an incomplete motion to proceed in forma pauperis. The magistrate judge recommended denial of the motion and dismissal without leave to amend, subject to review by an assigned district judge; the plaintiff was given twenty-one days to object.

DISPOSITION

other

CASES CITED

- *Tripati v. First Nat'l Bank & Tr.*, 821 F.2d 1368, 1370 (9th Cir. 1987)
- *Neitzke v. Williams*, 490 U.S. 319, 325, 327 (1989)
- *Jackson v. Arizona*, 885 F.2d 639, 640 (9th Cir. 1989)
- *Lopez v. Smith*, 203 F.3d 1122, 1130-31 (9th Cir. 2000) (en banc)
- *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555, 557, 570 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (per curiam)
- *Jenkins v. McKeithen*, 395 U.S. 411, 421 (1969)
- *West v. Atkins*, 487 U.S. 42, 48 (1988)
- *Polk County v. Dodson*, 454 U.S. 312, 325 (1981)
- *Miranda v. Clark County*, 319 F.3d 465, 468 (9th Cir. 2003)
- *Franklin v. Oregon*, 662 F.2d 1337, 1344 (9th Cir. 1981)
- *Cato v. United States*, 70 F.3d 1103, 1105-06 (9th Cir. 1995)
- *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991)
- *Mahan v. Miller*, No. 2:25-cv-3112 EFB (E.D. Cal.)