

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Walter Grable v. Sergio Pineda

Grable v. Pineda · No. 1:25-cv-00720-HBK (PC) · Decided November 18, 2025

SUMMARY

The United States District Court for the Eastern District of California denied Walter Grable’s motion seeking copies of his First Amended Complaint. Construing the motion as a request for mandamus relief, the court held that federal mandamus cannot compel state correctional officials and therefore the court lacked jurisdiction to grant the requested relief. The court directed the Clerk to make copies for service by the United States Marshals Service.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Helena M. Barch-Kuchta
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	November 18, 2025
DOCKET	1:25-cv-00720-HBK (PC)
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Plaintiff moved for copies of his First Amended Complaint. The court construed the motion as seeking a writ of mandamus and denied it for lack of jurisdiction.
STANDARD OF REVIEW	Mandamus is an extraordinary remedy available only when the plaintiff's claim is clear and certain, the officer's duty is ministerial and plainly prescribed, and no other adequate remedy exists.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- subject matter jurisdiction
- service of process
- civil procedure

PRACTICE AREAS

- civil procedure
- prisoner civil rights

QUESTIONS PRESENTED

1. Whether Plaintiff's motion for copies should be construed as a motion for mandamus relief.
2. Whether a federal district court has jurisdiction to issue mandamus relief compelling state correctional officials to provide copies of a complaint.

HOLDINGS

1. A pro se motion may be recharacterized according to the substance of the claim and its underlying legal basis; Plaintiff's motion was construed as seeking mandamus relief.
2. Federal mandamus relief is not available to compel state correctional officials to perform a specific duty; therefore, the court lacked jurisdiction to grant Plaintiff's requested relief.

KEY QUOTATIONS

“Mandamus relief is an extraordinary remedy. It is available to compel a federal officer to perform a duty only if: (1) the plaintiff's claim is clear and certain; (2) the duty of the officer is ministerial and so plainly prescribed as to be free from doubt; and (3) no other adequate remedy is available.” (at 1)

“Federal mandamus relief is not available to compel state correctional officials to perform a specific duty.” (at 1)

FACTUAL BACKGROUND

Plaintiff sought copies of his First Amended Complaint from the law library at the Bob Wiley Detention Center. He stated that he had made three requests for copies, but the requests had been refused. The court had previously required copies of the complaint for the United States Marshals Service to effect service, and Plaintiff submitted service forms without the required copies.

PROCEDURAL HISTORY

The court had previously directed Plaintiff to submit completed service forms and two copies of his First Amended Complaint so that the United States Marshals Service could effect service. Plaintiff submitted the service forms but not the complaint copies and then moved for an order directing state detention-center officials to provide copies. The court denied the motion but directed the Clerk to make the necessary copies separately so service could proceed.

DISPOSITION

writ_denied

CASES CITED

- *Castro v. United States*, 540 U.S. 375, 381-82 (2003)
- *Fallini v. Hodel*, 783 F.2d 1343, 1345 (9th Cir. 1986)
- *Demons v. United States District Court*, 925 F.2d 1160, 1161-62 (9th Cir. 1991)

OPINION

Pineda

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 WALTER GRABLE, Case No. 1:25-cv-00720-HBK (PC) 12 Plaintiff,

ORDER DENYING PLAINTIFF'S MOTION

13 v.

14 SERGIO PINEDA,

(Doc. No. 21) 15 Defendant. 16 17 Pending before the Court is Plaintiff's Motion for Copies filed November 6, 2025. (Doc.

18 No. 21, "Motion"). Plaintiff seeks an order from the Court directing state officials at the Bob
19 Wiley Detention Center to provide him copies of his First Amended Complaint ("FAC").¹ (Id.
at 20 1-2). Plaintiff states he has made three requests to the law library for copies, but to date his
21 requests have been refused. (Id.). The Court construes Plaintiff's Motion as a motion seeking
22 mandamus relief. See *Castro v. United States*, 540 U.S. 375, 381-82 (2003) (explaining that 23
courts may recharacterize a pro se motion to better reflect the "substance of a pro se motion's 24
claim and its underlying legal basis"). 25 The federal mandamus statute provides: "[t]he district
courts shall have original 26 1 On October 20, 2025, the Court directed Plaintiff within thirty (30)
days to return completed services 27 forms along with two copies of his First Amended Complaint
for the United States Marshals Service to effectuate service on Plaintiff's behalf. On November 6,
2025, Plaintiff submitted completed service 28 forms without copies of his First Amended
Complaint. (Doc. No. 22). 1 | jurisdiction of any action in the nature of mandamus to compel an
officer or employee of the 2 || United States or any agency thereof to perform a duty owed to the
plaintiff." 28 U.S.C. § 1361. 3 | Mandamus relief is an extraordinary remedy. It is available to
compel a federal officer to perform 4 | aduty only if: (1) the plaintiff's claim is clear and certain;
(2) the duty of the officer is ministerial 5 | and so plainly prescribed as to be free from doubt; and
(3) no other adequate remedy is available. 6 | See *Fallini v. Hodel*, 783 F.2d 1343, 1345 (9th Cir.
1986). Here, no federal officials are involved, 7 | only state officials. Federal mandamus relief is
not available to compel state correctional officials 8 || to perform a specific duty. See *Demons vy.*
U.S. District Court, 925 F.2d 1160, 1161-62 (9th Cir. 9 | 1991) (mandamus relief to compel a state
court or official to take or refrain from some action is 10 | frivolous as matter of law). Thus, this
Court lacks jurisdiction to grant the relief Plaintiff seeks. 11 Because the Court previously found
service of the FAC appropriate and to expedite this 12 | matter, the Court will direct the Clerk to
make the necessary copies of Plaintiff's FAC to provide 13 | to the United States Marshals Service
by separate order. 14 Accordingly, it is ORDERED: 15 Plaintiff's Motion for Copies (Doc No. 21),
construed as a motion for writ of mandamus, 16 | is DENIED. 17 18 Dated: _ November 18, 2025

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19 HELENA M. BARCH-KUCHTA

UNITED STATES MAGISTRATE JUDGE

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