

**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

OPINION

Pineda

PER CURIAM.

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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
law ZA. foareh Zackte

19 HELENA M. BARCH-KUCHTA

UNITED STATES MAGISTRATE JUDGE

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