

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Wesley Yielding, Charles R. Padilla, and Louie Lawrence Smith III v.
United States of America

Yielding v. United States · No. 2:25-cv-02643-TLN-CKD (PS) · Decided December 10, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted findings and recommendations dismissing without prejudice the plaintiffs’ complaint and proposed amended complaint for failure to state a claim. The court denied the pending temporary restraining order motions and denied the remaining motions as moot, then directed the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Troy L. Nunley
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 10, 2025
DOCKET	2:25-cv-02643-TLN-CKD (PS)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiffs proceeding pro se challenged agency-related matters and sought declaratory and injunctive relief under the Administrative Procedure Act. After a magistrate judge recommended dismissal for failure to state a claim, plaintiffs objected and submitted a proposed amended complaint. The district court adopted the recommendation, dismissed both complaints without prejudice, denied two temporary restraining-order motions, denied the remaining motions as moot, and closed the case.
STANDARD OF REVIEW	The district court presumed the magistrate judge's factual findings correct and reviewed the magistrate judge's legal conclusions de novo.
PRECEDENTIAL VALUE	unpublished and nonprecedential district-court order

TOPICS

- motions to dismiss
- administrative procedure act
- motion to amend
- injunctions
- civil procedure

PRACTICE AREAS

civil procedure

administrative law

remedies

QUESTIONS PRESENTED

1. Whether the magistrate judge's recommendation to dismiss for failure to state a claim should be adopted.
2. Whether plaintiffs' proposed amended complaint cured the deficiencies in the original complaint.
3. Whether plaintiffs' temporary restraining-order motions and other pending motions could proceed in the absence of a viable complaint.

HOLDINGS

1. The complaint failed to state an actionable federal claim and was properly dismissed without prejudice under Federal Rule of Civil Procedure 12.
2. The proposed amended complaint did not cure the deficiencies in the original complaint and also failed to state an actionable federal claim.
3. The temporary-restraining-order motions were denied, and the remaining pending motions were denied as moot because the action lacked a viable complaint.

KEY QUOTATIONS

“Though Plaintiffs have filed a proposed amended complaint (ECF No. 19-3), it does not cure the deficiencies of the original complaint (see ECF No. 17 at 3) and fails to state an actionable federal claim.” (at 1)

“The November 12, 2025 findings and recommendations (ECF No. 17) are adopted: the complaint (ECF No. 1) and proposed amended complaint (ECF No. 19-3) are dismissed without prejudice for failure to state a claim;” (at 1)

FACTUAL BACKGROUND

Plaintiffs Wesley Yielding, Charles R. Padilla, and Louie Lawrence Smith III proceeded pro se and sought declaratory and injunctive relief under the Administrative Procedure Act. Plaintiffs initially failed to maintain a current address with the court but later submitted updated contact information. They also submitted a proposed amended complaint, which the district court concluded did not cure the original complaint's deficiencies or state an actionable federal claim.

PROCEDURAL HISTORY

The matter was referred to a magistrate judge under 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. The magistrate judge first recommended dismissal for failure to maintain a current address, but the district court declined to adopt that recommendation after plaintiffs updated their contact information. The magistrate judge then recommended dismissal under Federal Rule of Civil Procedure 12 for failure to state a claim. After de novo review of the legal conclusions and consideration of plaintiffs' objections and proposed amended complaint, the district court adopted the second recommendation and dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979)
- Robbins v. Carey, 481 F.3d 1143, 1147 (9th Cir. 2007)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 WESLEY YIELDING, et al., No. 2:25-cv-02643-TLN-CKD (PS) 12
Plaintiffs, 13 v. ORDER 14 UNITED STATES OF AMERICA, et al., 15 Defendants. 16 17 In this
action, plaintiffs Wesley Yielding, Charles R. Padilla, and Louie Lawrence 18 Smith III
("Plaintiffs"), proceed pro se, seek declaratory and injunctive relief under the 19 Administrative
Procedure Act.

The matter was referred to a United States Magistrate Judge 20 pursuant to 28 U.S.C. § 636(b)(1)
(B) and Local Rule 302. 21 On November 5, 2025, the magistrate judge filed findings and
recommendations that this 22 case be dismissed for Plaintiffs' failure to maintain an address with
the Court in compliance with 23 Local Rule 182(f). (ECF No. 13.) Plaintiffs filed objections along
with updated contact 24 information.

(ECF Nos. 15 and 18.) 25 On November 12, 2025, the magistrate judge filed findings and
recommendations that this 26 case be dismissed for failure to state a claim under Federal Rule of
Civil Procedure 12. (ECF No. 27 17.)

The magistrate judge's filings contained notice to Plaintiffs that any objections to the 28 findings
and recommendations were to be filed within fourteen days. (ECF No. 17.) Plaintiffs 1 filed
objections to the magistrate judge's findings and recommendations (ECF No. 19), including 2 a
proposed amended complaint (ECF No. 19-3). 3 The Court presumes that any findings of fact are
correct.

See Orand v. United States, 602 4 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's
conclusions of law are reviewed de novo. 5 Robbins v. Carey, 481 F.3d 1143, 1147 (9th Cir. 2007).
The Court has reviewed the file, 6 including Plaintiffs' objections, and finds the November 12,
2025 findings and recommendations 7 (ECF No. 17) to be supported by the record and by the
magistrate judge's analysis.

Though 8 Plaintiffs have filed a proposed amended complaint (ECF No. 19-3), it does not cure the
9 deficiencies of the original complaint (see ECF No. 17 at 3) and fails to state an actionable

federal 10 claim. Plaintiffs have filed various other motions in this action, but without a viable complaint 11 these materials are moot. 12 Accordingly, IT IS HEREBY ORDERED that: 13 1.

As a result of Plaintiffs’ address update, the Court declines to adopt the November 5, 14 2025 findings and recommendations (ECF No. 13); 15 2. The November 12, 2025 findings and recommendations (ECF No. 17) are adopted: the 16 complaint (ECF No. 1) and proposed amended complaint (ECF No. 19-3) are 17 dismissed without prejudice for failure to state a claim; 18 3.

Plaintiffs’ motion for temporary restraining order (ECF No. 5) and emergency motion 19 for temporary restraining order (ECF No. 16) are denied; 20 4. The remainder of Plaintiffs’ pending motions are denied as moot, including the 21 motions to seal documents (ECF Nos. 6, 12); motion to e-file (ECF No. 7); motion to 22 reconsider (ECF No. 11); motion to expedite ruling (ECF No. 14); emergency motion 23 for immediate housing trust benefits (ECF No. 20); and request for issuance of 24 summons (ECF No. 22); and 25 5.

The Clerk of Court is directed to close this case. 26 // 27 // 28 // 1 IT IS SO ORDERED. 2 || Date: December 9, 2025 ☐☐ E TROY L. NUNLEY 3 UNITED STATES DISTRICT COURT JUDGE 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28