

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Bell v. Oama Coronado LLC

Bell · No. 3:25-cv-02227-RBM-MMP · Decided October 8, 2025

SUMMARY

The United States District Court for the Southern District of California grants Michael Bell and Lisa Phillips leave to proceed in forma pauperis. The court dismisses the complaint without prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii), with certain claims dismissed without leave to amend under the Rooker-Feldman doctrine and other claims dismissed with leave to amend for failure to state a claim. The court also denies the plaintiffs’ motion for a temporary restraining order.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Ruth Bermudez Montenegro
JURISDICTION	United States District Court for the Southern District of California
DECIDED	October 8, 2025
DOCKET	3:25-cv-02227-RBM-MMP
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiffs filed a pro se federal complaint arising from a California unlawful detainer judgment and its enforcement, along with an application to proceed in forma pauperis and an ex parte motion for a temporary restraining order. The district court granted in forma pauperis status, dismissed the complaint on screening under 28 U.S.C. § 1915(e)(2), and denied the TRO application.
STANDARD OF REVIEW	For in forma pauperis screening, the court applied 28 U.S.C. § 1915(e)(2) and the Federal Rule of Civil Procedure 12(b)(6) standard. Subject-matter jurisdiction was reviewed independently under Rule 12(h)(3). The TRO was evaluated under the Rule 65 and Winter preliminary-injunction standards.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential

PARTIES

Michael Bell, Lisa Phillips v. Oama Coronado LLC, Todd Brisco & Associates, Veronica Guzman, Sirem Roman, San Diego County Sheriff's Department, Deputy Does 1-5

TOPICS

subject matter jurisdiction

civil procedure

motions to dismiss

injunctions

section 1983

PRACTICE AREAS

civil procedure

civil rights

bankruptcy

real estate

remedies

QUESTIONS PRESENTED

1. Whether the district court had subject-matter jurisdiction over claims seeking to invalidate or restrain enforcement of the state unlawful detainer judgment under the Rooker-Feldman doctrine.
2. Whether the complaint stated claims under 42 U.S.C. § 1983 against private defendants, the Sheriff's Department, and the Deputy Does.
3. Whether the Sheriff Defendants were immune from claims arising from their execution of a facially valid writ of possession.
4. Whether Plaintiffs were entitled to proceed in forma pauperis.
5. Whether Plaintiffs were entitled to a temporary restraining order.

HOLDINGS

1. The district court lacked subject-matter jurisdiction over claims that constituted a de facto appeal from the San Diego Superior Court's unlawful detainer judgment or were inextricably intertwined with that judgment.
2. A complaint filed by a plaintiff proceeding in forma pauperis must be dismissed sua sponte if it is frivolous or malicious, fails to state a claim, or seeks monetary relief from an immune defendant.
3. Participation in state-court proceedings, without more, does not establish action under color of state law for purposes of 42 U.S.C. § 1983.
4. A municipal agency is not liable under § 1983 based solely on alleged constitutional violations by its employees; the plaintiff must identify a formal policy, longstanding practice, or custom that caused the deprivation.
5. A Fourth Amendment excessive-force claim requires facts showing that the force was objectively unreasonable under the totality of the circumstances; conclusory allegations concerning tight handcuffs or a strip search were insufficient here.
6. A conditions-of-confinement claim requires allegations of objectively serious harm and a sufficiently culpable mental state by the officials sought to be held liable; Plaintiff Bell did not allege that the Deputy Does knew of and disregarded a substantial risk to his health or safety.

7. Public officials are immune from civil-rights liability for executing or enforcing a facially valid court order, and the Sheriff had no independent duty to investigate the legality or merits of the underlying state-court orders before enforcement.
8. The TRO application was denied because it was moot following dismissal of the complaint and, in any event, Plaintiffs could not show a likelihood of success or a serious question on the merits where the requested relief was barred by Rooker-Feldman.

KEY QUOTATIONS

“A federal action is a “de facto appeal” of a state court decision when the plaintiff “complains of a legal wrong allegedly committed by the state court, and seeks relief from the judgment of that court.”” (Section III.A)

“A public official is entitled to immunity from suit for civil rights claims arising out of his or her execution or enforcement of a facially valid court order.” (Section III.C)

“Where, as here, the moving party fails to meet his burden on the threshold inquiry of likelihood of success on the merits, “the court need not consider the other factors.”” (Section IV.B)

FACTUAL BACKGROUND

The San Diego Superior Court entered an unlawful detainer judgment against Plaintiffs and issued a writ of possession for their residence. After Michael Bell filed a Chapter 7 bankruptcy petition, the state court and bankruptcy court determined that the petition did not create an automatic stay because the prior judgment had terminated Plaintiffs’ possessory interests. The Sheriff’s Department executed the eviction, during which Plaintiffs alleged excessive force, an unlawful search, unconstitutional jail conditions, due process violations, and state-law torts. Plaintiffs then sought federal relief that included restoration of possession, restrictions on enforcement of the eviction, damages, and a temporary restraining order.

PROCEDURAL HISTORY

The San Diego Superior Court entered judgment against Plaintiffs in an unlawful detainer action on July 23, 2025, issued a writ of possession on July 31, 2025, and the Sheriff’s Department executed the eviction on August 20, 2025. Michael Bell filed a Chapter 7 bankruptcy petition on August 15, 2025; subsequent state and bankruptcy court orders determined that no automatic stay applied to the eviction. Plaintiffs filed this federal action on August 27, 2025. The district court dismissed the first, fourth, and sixth causes of action without leave to amend, dismissed the third cause of action with leave to amend, and dismissed the second and fifth causes of action without leave to amend insofar as they challenged the state judgment or its enforcement, while permitting amendment of potentially independent claims.

DISPOSITION

dismissed

CASES CITED

- Escobedo v. Applebees, 787 F.3d 1226, 1234-36 (9th Cir. 2015)
- United States v. McQuade, 647 F.2d 938, 940 (9th Cir. 1981)
- Cal. Men's Colony v. Rowland, 939 F.2d 854, 858 (9th Cir. 1991), rev'd on other grounds, 506 U.S. 194 (1993)
- Adkins v. E.I. DuPont de Nemours & Co., 335 U.S. 331, 339-40 (1948)
- Lopez v. Smith, 203 F.3d 1122, 1127 (9th Cir. 2000)
- Teahan v. Wilhelm, 481 F. Supp. 2d 1115, 1119 (S.D. Cal. 2007)
- Henderson ex rel. Henderson v. Shinseki, 562 U.S. 428, 434 (2011)
- Steel Co. v. Citizens for a Better Environment, 523 U.S. 83, 94-95 (1998)
- Rooker v. Fidelity Trust Co., 263 U.S. 413, 415-16 (1923)
- D.C. Court of Appeals v. Feldman, 460 U.S. 462, 483 (1983)
- Noel v. Hall, 341 F.3d 1148, 1158, 1163 (9th Cir. 2003)
- Lance v. Dennis, 546 U.S. 459, 460 (2006)
- Exxon Mobil Corp. v. Saudi Basic Industries Corp., 544 U.S. 280, 284 (2005)
- Dubinka v. Judges of the Superior Court, 23 F.3d 218, 221 (9th Cir. 1994)
- Worldwide Church of God v. McNair, 805 F.2d 888, 891 (9th Cir. 1986)
- Bell v. City of Boise, 709 F.3d 890, 897 (9th Cir. 2013)
- Cooper v. Ramos, 704 F.3d 772, 779 (9th Cir. 2012)
- Kokkonen v. Guardian Life Insurance Co. of America, 511 U.S. 375, 377 (1994)
- In re Gruntz, 202 F.3d 1074, 1079 (9th Cir. 2000)
- Richards v. Mercy Housing California, No. C 12-00234 JW, 2012 WL 174186, at *2 (N.D. Cal. Jan. 18, 2012)
- Doe & Associates Law Offices v. Napolitano, 252 F.3d 1026, 1030 (9th Cir. 2001)
- Taylor v. First Wyoming Bank, N.A., 707 F.2d 388, 389 (9th Cir. 1983)
- Jackson v. Metropolitan Edison Co., 419 U.S. 345, 352 (1974)
- Jones v. Community Redevelopment Agency of Los Angeles, 733 F.2d 646, 649 (9th Cir. 1984)
- Monell v. Department of Social Services, 436 U.S. 658, 694 (1978)
- City of Canton v. Harris, 489 U.S. 378, 385 (1989)
- Gillette v. Delmore, 979 F.2d 1342, 1346 (9th Cir. 1992)
- Trevino v. Gates, 99 F.3d 911, 918 (9th Cir. 1996)
- Mapp v. Ohio, 367 U.S. 643, 655 (1961)
- Smith v. City of Hemet, 394 F.3d 689, 700 (9th Cir. 2005)
- Graham v. Connor, 490 U.S. 386, 395-97 (1989)
- Ward v. City of San Jose, 967 F.2d 280, 284 (9th Cir. 1992)
- Hammer v. Gross, 932 F.2d 842, 846 (9th Cir. 1991)
- Wall v. County of Orange, 364 F.3d 1107, 1112 (9th Cir. 2004)
- United States v. Palmer, 575 F.2d 721, 723 (9th Cir. 1978)

- Farmer v. Brennan, 511 U.S. 825, 832, 837 (1994)
- Toussaint v. McCarthy, 801 F.2d 1080, 1107 (9th Cir. 1986), abrogated in part on other grounds by Sandin v. Connor, 515 U.S. 472 (1995)
- Johnson v. Lewis, 217 F.3d 726, 731 (9th Cir. 2000)
- Wallis v. Baldwin, 70 F.3d 1074, 1076 (9th Cir. 1995)
- Castro v. County of Los Angeles, 833 F.3d 1060, 1068 (9th Cir. 2016)
- Engebretson v. Mahoney, 724 F.3d 1034, 1038-41 & n.7 (9th Cir. 2013)
- Lyons v. Santa Barbara County Sheriff's Office, 231 Cal. App. 4th 1499, 1503 (2014)
- George v. County of San Luis Obispo, 78 Cal. App. 4th 1048, 1054-55 (2000)
- In re Perl, 811 F.3d 1120, 1127 (9th Cir. 2016)
- Arrieta v. Mahon, 31 Cal. 3d 381, 392 (1982)
- Brincken v. Royal, No. 2:12-cv-2599-MCE-CKD PS, 2013 WL 211245, at *3 (E.D. Cal. Jan. 10, 2013)
- In re Dynamic Random Access Memory Antitrust Litigation, 546 F.3d 981, 990 (9th Cir. 2008)
- Rosati v. Igbino, 791 F.3d 1037, 1039 (9th Cir. 2015)
- Akhtar v. Mesa, 698 F.3d 1202, 1212 (9th Cir. 2012)
- Granny Goose Foods, Inc. v. Brotherhood of Teamsters & Auto Truck Drivers, 415 U.S. 423, 439 (1974)
- Stuhlbarg International Sales Co. v. John D. Brush & Co., 240 F.3d 832, 839 n.7 (9th Cir. 2001)
- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20, 22 (2008)
- Herb Reed Enterprises, LLC v. Florida Entertainment Management, Inc., 736 F.3d 1239, 1247 (9th Cir. 2013)
- Disney Enterprises, Inc. v. VidAngel, Inc., 869 F.3d 848, 856 (9th Cir. 2017)
- Garcia v. Google, Inc., 786 F.3d 733, 740 (9th Cir. 2015)
- Pimentel v. Dreyfus, 670 F.3d 1096, 1111 (9th Cir. 2012)
- Jones v. Federal Correctional Center Medical Department, No. 20-CV-1385 JLS (BLM), 2020 WL 6942519, at *4 (S.D. Cal. Nov. 25, 2020)
- Olajide v. Brown, No. 18-cv-03991-CRB, 2018 WL 3328227, at *3 (N.D. Cal. July 6, 2018)
- In re Bauman, No. 3:24-CV-1564 JLS (BLM), 2024 WL 4647299, at *6 (S.D. Cal. Oct. 31, 2024)
- Lara v. Services, No. 12cv904-LAB (POR), 2012 WL 12872451, at *1 (S.D. Cal. June 5, 2012)
- Lira v. Herrera, 427 F.3d 1164, 1169 (9th Cir. 2005)