

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Brar v. United States

Brar · No. 1:25-cv-00504-JLT-CDB · Decided June 17, 2025

SUMMARY

The United States District Court for the Eastern District of California denies Plaintiff Tanbeer Singh Brar’s motions for miscellaneous relief, including requests concerning fairness, obstruction of justice, and electronic filing privileges. The magistrate judge finds that the complaint, which names the United States and alleges misconduct by local and state actors, is frivolous and fails to state a cognizable claim. The court recommends dismissal with prejudice and without leave to amend based on sovereign immunity, the absence of a viable legal theory, and the futility of amendment.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 17, 2025
DOCKET	1:25-cv-00504-JLT-CDB
DISPOSITION	other
PROCEDURAL POSTURE	A pro se plaintiff proceeding in forma pauperis filed a civil-rights complaint against the United States. After screening the complaint and allowing an opportunity to amend, the magistrate judge denied the plaintiff's miscellaneous motions and issued findings and recommendations that the complaint be dismissed with prejudice and without leave to amend.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e), an in forma pauperis complaint must be dismissed if it is frivolous, fails to state a claim, or seeks monetary relief from an immune defendant. Pleadings by self-represented litigants are liberally construed, but courts may not supply essential elements or unwarranted legal theories.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Tanbeer Singh Brar v. United States of America

TOPICS

sovereign immunity

section 1983

motions to dismiss

civil procedure

eleventh amendment immunity

PRACTICE AREAS

civil procedure

civil rights

federal jurisdiction

sovereign immunity

QUESTIONS PRESENTED

1. Whether the plaintiff's in forma pauperis complaint was frivolous or failed to state a cognizable claim.
2. Whether the United States was an improper defendant because the complaint alleged no waiver of sovereign immunity.
3. Whether amendment should be denied as futile after the plaintiff failed to cure the deficiencies identified in the screening order.
4. Whether the plaintiff's motions for miscellaneous relief and electronic filing privileges should be denied.

HOLDINGS

1. The complaint was frivolous and failed to state a cognizable claim because its allegations concerned municipal and state actors, while it named only the United States and alleged no legal theory making the federal government liable for those actors' conduct.
2. The United States was an improper defendant because the federal government is immune from suit absent an express waiver, and the complaint alleged no waiver of sovereign immunity.
3. Any claim against the Kern County Superior Court would be barred by the Eleventh Amendment because a California superior court is an arm of the state.
4. Leave to amend should be denied because Plaintiff had already been given an opportunity to cure the deficiencies and amendment would be futile in light of the United States' sovereign immunity and the complaint's lack of a cognizable claim.
5. The motions for miscellaneous relief and electronic filing privileges were denied because the requested relief was unclear or unsupported, the filings were unrelated to the screening deficiencies, and Plaintiff had not shown good cause for an exception to the district's general prohibition on pro se electronic filing.

KEY QUOTATIONS

"It is well settled that the United States is a sovereign, and, as such, is immune from suit unless it has expressly waived such immunity and consented to be sued." (at 6)

"Because Plaintiff was provided the opportunity to file a first amended complaint curing the identified deficiencies and has failed to do so, and amendment would be futile where sovereign immunity bars a plaintiff's claims against a governmental entity, the undersigned recommends the complaint be dismissed without leave to amend." (at 8)

FACTUAL BACKGROUND

Plaintiff named the United States as the sole defendant but based his allegations primarily on purported misconduct by Kern County, local law-enforcement agencies, and other municipal or state actors. He alleged conspiracy, false arrests or charges, interference with his online privacy, and constitutional violations, and sought \$25 million in damages. The complaint also referenced state-court proceedings and other federal cases, including a previously dismissed action.

PROCEDURAL HISTORY

Plaintiff filed the complaint on April 30, 2025, and was granted leave to proceed in forma pauperis. On May 20, 2025, the court's screening order found the complaint frivolous and deficient, and gave Plaintiff an opportunity to amend, voluntarily dismiss, or proceed on the complaint as filed. Plaintiff filed motions for miscellaneous relief and electronic filing privileges but did not file an amended complaint. The magistrate judge denied the motions and recommended dismissal with prejudice and without leave to amend, subject to a 14-day objection period.

DISPOSITION

other

CASES CITED

- Brar v. State of California, No. 1:25-cv-00136-JLT-CDB (Doc. 31 at 3)
- United States v. Wilson, 631 F.2d
- Miller v. Sacramento City Unified School District, No. 2:21-cv-0757-JAM-CKD PS, 2021 WL 3539733, at *3 (E.D. Cal. Aug. 11, 2021)
- Reddy v. Precyse Solutions LLC, No. 1:12-cv-02061-AWI-SAB, 2013 WL 2603413, at *3 (E.D. Cal. June 11, 2013)
- Lopez v. Smith, 203 F.3d 1122, 1130 (9th Cir. 2000) (en banc)
- Doe v. United States, 58 F.3d 494, 497 (9th Cir. 1995)
- Leadsinger, Inc. v. BMG Music Publishing, 512 F.3d 522, 532 (9th Cir. 2008)
- Andrews v. King, 398 F.3d 1113, 1121 (9th Cir. 2005)
- United States v. Sherwood, 312 U.S. 584, 586 (1941)
- Gilbert v. DaGrossa, 756 F.2d 1455, 1458 (9th Cir. 1985)
- Tobar v. United States, 639 F.3d 1191, 1195 (9th Cir. 2011)
- Munoz v. Superior Court of Los Angeles County, 91 F.4th 977, 980 (9th Cir. 2024)
- Durning v. Citibank, N.A., 950 F.2d 1419, 1422 (9th Cir. 1991)
- Natural Resources Defense Council v. California Department of Transportation, 96 F.3d 420, 421 (9th Cir. 1996)
- Mogan v. State Bar of California, No. 24-3492, 2025 WL 1672874, at *2 (9th Cir. June 13, 2025)
- Wilkerson v. Wheeler, 772 F.3d 834, 839 (9th Cir. 2014)

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