

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Hafer v. United States

Hafer · No. 1:22-cv-0972 JLT EPG · Decided August 20, 2025

SUMMARY

The United States District Court for the Eastern District of California denied DeCheri Hafer’s motion for relief under Federal Rule of Civil Procedure 60(b)(4). The court rejected her arguments concerning the magistrate judge’s authority, judicial bias, lack of oral argument, and alleged due process violations, and held that she failed to show the judgment was void or that her motion was filed within a reasonable time. The court also terminated her motion to proceed in forma pauperis as moot and ordered that the action remain closed.

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	August 20, 2025
DOCKET	1:22-cv-0972 JLT EPG
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 60(b)(4) to set aside prior rulings, reopen the closed action, and obtain default judgment after the Court dismissed her Social Security-related claims for lack of subject matter jurisdiction. She also moved to proceed in forma pauperis.
STANDARD OF REVIEW	Relief under Rule 60(b)(4) is available only when the judgment is void, and a Rule 60(b) motion must be made within a reasonable time. Reconsideration is an extraordinary remedy used sparingly and generally requires newly discovered evidence, clear error, or an intervening change in controlling law.
PRECEDENTIAL VALUE	Unpublished district court order; limited persuasive value.
PARTIES	DeCheri Hafer v. United States, Social Security Administration

TOPICS

motion for reconsideration

subject matter jurisdiction

default judgment

civil procedure

administrative procedure act

PRACTICE AREAS

civil procedure

federal courts

Social Security benefits

remedies

QUESTIONS PRESENTED

1. Whether the magistrate judge acted without authority because plaintiff did not consent to magistrate-judge jurisdiction.
2. Whether plaintiff established judicial bias sufficient to support relief from the judgment.
3. Whether the court violated plaintiff's due process rights by deciding matters under submission without a trial or oral argument.
4. Whether the judgment was void and should be set aside under Federal Rule of Civil Procedure 60(b)(4).
5. Whether plaintiff's motion was filed within a reasonable time.

HOLDINGS

1. Plaintiff's consent was not required for the magistrate judge to grant an extension of time for a responsive pleading or to issue findings and recommendations concerning default and dismissal motions.
2. Plaintiff failed to establish judicial bias because her allegations were based only on disagreement with the court's rulings and did not identify an extrajudicial source of bias.
3. The court did not violate plaintiff's due process rights by deciding matters under submission without a trial or oral argument because plaintiff received notice and an opportunity to respond.
4. Plaintiff was not entitled to relief under Rule 60(b)(4) because she failed to show that the judgment was void and did not file the motion within a reasonable time.

KEY QUOTATIONS

“judicial rulings alone almost never constitute a valid basis for a bias or partiality motion” (Section III.B)

“it is well settled that there is no constitutional due process right to oral argument” (Section III.C)

FACTUAL BACKGROUND

Plaintiff brought claims related to applications for Social Security benefits, but did not obtain a final decision from the Commissioner for her Title II and Title XVI claims. Her request for an administrative hearing concerning Title II child disability benefits was dismissed after she failed to appear, and she did not seek Appeals Council review. The district court therefore dismissed the action for lack of subject matter jurisdiction without prejudice and closed the case. Plaintiff later sought to reopen the action, asserting that the magistrate judge lacked authority, the court was biased, she was denied a trial and oral argument, and defendants' response was untimely.

PROCEDURAL HISTORY

Plaintiff filed an action concerning the denial of Social Security benefits. The case was transferred to the Eastern District of California, where a magistrate judge granted defendants an extension of time, recommended denial of plaintiff's default motions, and recommended dismissal of the action for lack of subject matter jurisdiction. The district court adopted the recommendations in part, dismissed the claims without prejudice, and entered judgment on April 6, 2023. More than two years later, plaintiff moved for relief under Rule 60(b)(4). The court denied that motion without prejudice, terminated the in forma pauperis motion as moot, and ordered that the action remain closed.

DISPOSITION

other

CASES CITED

- Dichter-Mad Family Partners, LLP v. United States, 709 F.3d 749, 791 (9th Cir. 2013)
- Hampton v. Pac. Inv. Mgmt. Co., 869 F.3d 844, 846 (9th Cir. 2017)
- Kona Enters., Inc. v. Estate of Bishop, 229 F.3d 877, 890 (9th Cir. 2000)
- Harvest v. Castro, 531 F.3d 737, 749 (9th Cir. 2008)
- Marlyn Nutraceuticals, Inc. v. Mucos Pharma GmbH & Co., 571 F.3d 873, 880 (9th Cir. 2009)
- United States v. W.R. Grace, 526 F.3d 499, 508-509 (9th Cir. 2008)
- Gallegos v. Cal. Dep't of Corr. & Rehab., 2023 WL 3168360, at *1 (E.D. Cal. Apr. 28, 2023)
- Toth v. Trans World Airlines, Inc., 862 F.2d 1381 (9th Cir. 1988)
- Liteky v. United States, 510 U.S. 540, 553 (1994)
- Atchison, Topeka & Santa Fe Ry. Co. v. Hercules Inc., 146 F.3d 1071, 1074 (9th Cir. 1998)
- Sovereign Gen. Ins. Servs., Inc. v. Nat'l Casualty Co., 359 F. App'x 705, 707 (9th Cir. 2009)
- Hammer v. Drago, 940 F.2d 524, 527 (9th Cir. 1991)

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