

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Fial v. Cozine

Fial v. Cozine · No. 3:25-cv-01498-JR · Decided December 15, 2025

SUMMARY

A United States District Court for the District of Oregon magistrate judge issued findings and a recommendation addressing defendants’ motion to dismiss and the plaintiff’s motion to seal or redact documents. The recommendation concludes that Eleventh Amendment immunity and lack of Article III standing require dismissal, and that amendment would be futile in light of sovereign immunity, lack of traceability and redressability, judicial immunity, and the Rooker-Feldman doctrine. It recommends granting the motion to dismiss, denying the motion to seal, and dismissing the case without leave to amend.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Jolie A. Russo
JURISDICTION	United States District Court for the District of Oregon
DECIDED	December 15, 2025
DOCKET	3:25-cv-01498-JR
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved to dismiss the pro se plaintiff’s constitutional challenge under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). Plaintiff moved to seal or further redact publicly available documents. The magistrate judge recommended granting the motion to dismiss, denying the motion to seal, and dismissing the action without leave to amend.
STANDARD OF REVIEW	On a Rule 12(b)(1) motion, the plaintiff bears the burden of establishing subject-matter jurisdiction, and the court may consider evidence and resolve factual disputes concerning jurisdiction. On a Rule 12(b)(6) motion, the complaint must contain enough factual matter to state a plausible claim for relief; allegations are liberally construed in favor of a pro se plaintiff, but conclusory assertions and formulaic recitations are not accepted as true.
PRECEDENTIAL VALUE	nonprecedential

PARTIES

Nancy Cozine, in her official capacity as State Court Administrator of Oregon, Dan Rayfield, in his official capacity as Attorney General of Oregon, Kate Cooper Richardson, in her official capacity as Division Administrator of the Division of Child Support, Oregon Department of Justice, Dawn Marquardt, in her official capacity as Acting Director of the Division of Child Support

TOPICS

motions to dismiss

subject matter jurisdiction

standing

sovereign immunity

family law

PRACTICE AREAS

civil procedure

civil rights

constitutional law

family law

remedies

QUESTIONS PRESENTED

1. Whether the official-capacity defendants were immune from Fial's suit under the Eleventh Amendment because the Ex parte Young exception did not apply.
2. Whether Fial had Article III standing where the alleged property injury resulted from a state-court dissolution judgment rather than defendants' administrative conduct and could not be redressed by the requested prospective relief.
3. Whether the complaint should be dismissed without leave to amend because amendment would be futile.
4. Whether Fial established a sufficient basis to seal or further redact publicly available state-court documents.

HOLDINGS

1. The Ex parte Young exception did not permit Fial's official-capacity claims because none of the defendants had a sufficiently direct connection to enforcement of Oregon Revised Statutes § 107.105(1)(f); the defendants were therefore immune from suit and the court lacked subject-matter jurisdiction.
2. Fial lacked Article III standing because the alleged loss of property was caused by the independent action of the state-court judge and was not fairly traceable to the defendants' conduct or redressable through the prospective relief requested.
3. Dismissal without leave to amend was appropriate because amendment would be futile: no additional allegations or defendants could cure the jurisdictional defects, and claims directed at the divorce judgment would also encounter judicial immunity and the Rooker-Feldman doctrine.
4. The motion to seal or further redact the state-court dissolution judgment should be denied because Fial identified no specific privacy concerns and the document was already publicly available.

KEY QUOTATIONS

“Ex parte Young, however, applies to individual state officials only when the official “ha[s] some connection with the enforcement of the act.”” (Discussion § I)

“The “irreducible constitutional minimum” of Article III standing requires the party invoking the court’s jurisdiction to demonstrate they suffered an “injury in fact” that is concrete and particularized, “fairly traceable to the challenged action of the defendant,” and “likely [to] be redressed by a favorable decision.”” (Discussion § II)

“For the foregoing reasons, defendants’ Motion to Dismiss (doc. 24) should be granted, plaintiff’s Motion to Seal (doc. 26) should be denied, and judgment should be prepared dismissing this case.” (Recommendation)

FACTUAL BACKGROUND

Fial challenged Oregon Revised Statutes § 107.105(1)(f), which authorizes Oregon courts in dissolution proceedings to divide marital property in a manner that is just and proper and presumes equal contribution to property acquired during marriage. He alleged that the statute permitted the confiscation of his premarital property and violated fundamental property rights and the Fourteenth Amendment. His alleged injury arose from a state-court dissolution judgment requiring him to transfer half of cryptocurrency acquired during the marriage to his former wife. He sought declaratory and prospective injunctive relief, as well as damages that he later indicated he would waive.

PROCEDURAL HISTORY

John Fial filed a § 1983 action challenging the constitutionality of Oregon Revised Statutes § 107.105(1)(f), which governs property division in marital dissolution proceedings. Defendants moved to dismiss, arguing Eleventh Amendment immunity, lack of Article III standing, and pleading defects. The magistrate judge concluded that defendants were immune, plaintiff lacked traceable and redressable injuries, amendment would be futile, and the case should be dismissed without leave to amend. The recommendation was subject to fourteen-day objections and was not immediately appealable.

DISPOSITION

other

CASES CITED

- In re Marriage of Kunze, 337 Or. 122, 132, 92 P.3d 100 (2004)
- Lujan v. Defenders of Wildlife, 504 U.S. 555, 560-61 (1992)
- Kingman Reef Atoll Invs., L.L.C. v. United States, 541 F.3d 1189, 1195 (9th Cir. 2008)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Rosen v. Walters, 719 F.2d 1422, 1424 (9th Cir. 1983)
- Ashcroft v. Iqbal, 556 U.S. 662, 680-81 (2009)
- Starr v. Baca, 652 F.3d 1202, 1216 (9th Cir. 2011)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Eldridge v. Block, 832 F.2d 1132, 1136 (9th Cir. 1987)
- Barrett v. Belleque, 544 F.3d 1060, 1061-62 (9th Cir. 2008)

- Douglas v. Cal. Dep't of Youth Auth., 271 F.3d 812, 817 (9th Cir. 2001)
- Ex parte Young, 209 U.S. 123 (1908)
- Ass'n des Eleveurs de Canards et d'Oies du Quebec v. Harris, 729 F.3d 937, 943 (9th Cir. 2013)
- Coal. to Defend Affirmative Action v. Brown, 674 F.3d 1128, 1134 (9th Cir. 2012)
- L.A. Cnty. Bar Ass'n v. Eu, 979 F.2d 697, 704 (9th Cir. 1992)
- M.S. v. Brown, 902 F.3d 1076, 1083 (9th Cir. 2018)
- Cervantes v. Countrywide Home Loans, Inc., 656 F.3d 1034, 1043 (9th Cir. 2011)
- Barahona v. Union Pac. R.R., 881 F.3d 1122, 1134 (9th Cir. 2018)

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