

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Eshawn Maurice Harrell v. Judge Dunleavy, et al.

Harrell · No. 25-cv-08502-NW · Decided January 28, 2026

SUMMARY

The United States District Court for the Northern District of California screened and dismissed Eshawn Maurice Harrell’s pro se civil rights complaint under 42 U.S.C. § 1983. Claims against Denise Lee and Mark Campari were dismissed as duplicative, while damages claims against Judge Dunleavy were dismissed without leave to amend based on judicial immunity. The state-law claims were dismissed without prejudice for lack of a federal jurisdictional basis, and the case was closed.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Noel Wise
JURISDICTION	United States District Court for the Northern District of California
DECIDED	January 28, 2026
DOCKET	25-cv-08502-NW
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se state detainee brought a civil-rights action under 42 U.S.C. § 1983 and asserted related state-law claims. The district court screened the complaint under 28 U.S.C. § 1915A(a) and dismissed the federal claims without leave to amend and the state-law claims without prejudice.
STANDARD OF REVIEW	Statutory screening under 28 U.S.C. § 1915A(a), including dismissal of claims that are frivolous, fail to state a claim, or seek monetary relief from an immune defendant; pro se pleadings are liberally construed.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Eshawn Maurice Harrell v. Judge Dunleavy, Denise Lee, Mark Campari

TOPICS

section 1983

prisoners rights

civil rights

federal habeas corpus

pleadings

PRACTICE AREAS

civil procedure

civil rights

constitutional law

prisoner litigation

habeas corpus

QUESTIONS PRESENTED

1. Whether the federal claims against Lee and Campari should be dismissed as duplicative of claims asserted in Harrell's earlier action.
2. Whether damages claims against Judge Dunleavy were barred by absolute judicial immunity.
3. Whether Harrell could pursue his state-law claims in federal court after the federal claims were dismissed and the complaint indicated that diversity jurisdiction was absent.
4. Whether the complaint should be dismissed without leave to amend as to the federal claims.

HOLDINGS

1. Federal claims identical to claims raised in an earlier action are duplicative and may be dismissed.
2. State-court judges are absolutely immune from damages suits under 42 U.S.C. § 1983 for judicial acts.
3. A prisoner seeking immediate or speedier release from confinement must pursue habeas corpus rather than a damages claim under § 1983.
4. After dismissal of the federal claims, and where diversity jurisdiction is absent, the court lacked a basis for federal jurisdiction over the state-law claims; those claims were dismissed without prejudice.

KEY QUOTATIONS

“habeas is the “exclusive remedy” for the prisoner who seeks ““immediate or speedier release”” from confinement.” (at 2)

“A complaint must proffer “enough facts to state a claim to relief that is plausible on its face.”” (at 1)

FACTUAL BACKGROUND

Harrell, a state detainee, alleged that Denise Lee and Mark Campari misplaced his writ of habeas corpus. He alleged that Judge Dunleavy sentenced him to eight months, miscalculated his good-time credits, failed to place him in a program, and did not explain that decision. He sought damages under § 1983 and various state-law theories, including negligence, false imprisonment, defamation, and emotional-distress claims.

PROCEDURAL HISTORY

Harrell filed a complaint and an application to proceed in forma pauperis. During statutory screening, the court determined that claims against Lee and Campari duplicated claims in an earlier action, that damages claims against Judge Dunleavy were barred by absolute judicial immunity, and that the state-law claims lacked an independent basis for federal jurisdiction. The court dismissed the complaint and closed the case.

DISPOSITION

dismissed

CASES CITED

- *Balistreri v. Pacifica Police Dep't*, 901 F.2d 696, 699 (9th Cir. 1990)
- *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555, 570 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 679 (2009)
- *West v. Atkins*, 487 U.S. 42, 48 (1988)
- *Lemire v. Cal. Dep't of Corrections & Rehabilitation*, 726 F.3d 1062, 1074 (9th Cir. 2013)
- *Leer v. Murphy*, 844 F.2d 628, 634 (9th Cir. 1988)
- *Johnson v. Duffy*, 588 F.2d 740, 743 (9th Cir. 1978)
- *Adams v. Cal. Dep't of Health Servs.*, 487 F.3d 684, 688 (9th Cir. 2007)
- *Wheeler v. City of Santa Clara*, 894 F.3d 1046, 1059 (9th Cir. 2018)
- *Pierson v. Ray*, 386 U.S. 547, 553-55 (1967)
- *Mitchell v. Forsyth*, 472 U.S. 511, 526 (1985)
- *Skinner v. Switzer*, 562 U.S. 521, 533-34 (2011)
- *Stock W., Inc. v. Confederated Tribes*, 873 F.2d 1221, 1225 (9th Cir. 1989)
- *Akhtar v. Mesa*, 698 F.3d 1202, 1212 (9th Cir. 2012)