

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Smiley James Harris, A.R. v. U. S. Dept. of Justice, et al.

Harris · No. 25-cv-07664-RS · Decided December 3, 2025

SUMMARY

The United States District Court for the Northern District of California granted defendants’ motion to dismiss Smiley James Harris’s pro se complaint against various federal, state, and local government entities. The court held that the complaint failed to provide sufficient factual allegations or a cognizable legal theory, and that claims were also barred by Heck v. Humphrey, immunities, and applicable statutes of limitations. Dismissal was without leave to amend because amendment would be futile.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Richard Seeborg
JURISDICTION	United States District Court for the Northern District of California
DECIDED	December 3, 2025
DOCKET	25-cv-07664-RS
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants moved to dismiss a pro se complaint under Federal Rules of Civil Procedure 8(a)(2) and 12(b)(6). The district court granted the motion and denied leave to amend.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court tests the legal sufficiency of the complaint, accepts material allegations as true, and construes them in the light most favorable to the nonmoving party; conclusory allegations and unwarranted inferences are insufficient.
PRECEDENTIAL VALUE	Unknown
PARTIES	Smiley James Harris, A.R. v. U. S. Dept. of Justice, California Department of Justice, State of California, California Department of Motor Vehicles, County of Lake, City of Clearlake, Clearlake Police Department

TOPICS

motions to dismiss

pleadings

section 1983

statute of limitations

eleventh amendment immunity

PRACTICE AREAS

Civil procedure

Civil rights

Constitutional law

Federal courts

Remedies

QUESTIONS PRESENTED

1. Whether the complaint contained sufficient factual allegations and a cognizable legal theory to satisfy Federal Rule of Civil Procedure 8(a)(2) and survive Rule 12(b)(6).
2. Whether damages claims based on allegedly unconstitutional convictions or imprisonments were barred by *Heck v. Humphrey*.
3. Whether claims based on prosecutorial conduct were barred by the Eleventh Amendment and absolute prosecutorial immunity.
4. Whether claims under 42 U.S.C. §§ 1983, 1985(3), and 1986 were barred by the applicable statute of limitations.
5. Whether the Monell claims against Lake County stated a cognizable municipal-liability theory.
6. Whether amendment would be futile such that leave to amend should be denied.

HOLDINGS

1. The complaint failed to state a claim because it did not provide defendants fair notice, allege sufficient facts, or identify a cognizable legal theory.
2. Damages claims based on allegedly unconstitutional convictions or imprisonments are barred by *Heck v. Humphrey* unless the convictions or sentences have been reversed, expunged, declared invalid, or called into question by a writ of habeas corpus.
3. Claims based on prosecutorial action were barred by the Eleventh Amendment and absolute prosecutorial immunity.
4. Plaintiff's claims under 42 U.S.C. §§ 1983, 1985(3), and 1986 were time-barred under the applicable one-year limitations period.
5. The complaint did not state a cognizable Monell claim against Lake County because it appeared to rely on respondeat superior liability arising from court or district-attorney actions.
6. Leave to amend was properly denied because amendment would be futile.

KEY QUOTATIONS

“A complaint must contain “a short and plain statement of the claim showing that the pleader is entitled to relief.”” (at 2)

“A claim is facially plausible “when the pleaded factual content allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.”” (at 2)

“Plaintiff does no more than provide a series of superior court case numbers and make conclusory allegations.” (at 4)

“The foregoing analysis as well as Plaintiff’s past failures to state a claim upon which relief can be granted in substantially similar cases, see Case Nos. 3:25-cv-1587-JD and 25-cv-01594-JD, show that amendment would be futile.” (at 5)

FACTUAL BACKGROUND

Plaintiff sued the U.S. Department of Justice, California governmental entities, Lake County, the City of Clearlake, and the Clearlake Police Department. His allegations appeared to concern arrests and convictions between 2015 and 2022, which he characterized as false and maliciously prosecuted, as well as resulting incarceration and loss of a vehicle. He also asserted that defendants failed to recognize a commercial affidavit and a clarification-of-citizenship affidavit, and invoked 42 U.S.C. §§ 1983, 1985(3), and 1986, several criminal statutes, and constitutional amendments.

PROCEDURAL HISTORY

Plaintiff filed a pro se action alleging constitutional and statutory violations arising from arrests, convictions, incarceration, loss of a vehicle, and defendants' alleged failure to recognize affidavits. Defendants moved to dismiss. The court concluded that the complaint lacked fair notice, sufficient factual allegations, and a cognizable legal theory, and that several claims were independently barred by Heck, immunity doctrines, and statutes of limitations. Because plaintiff had previously failed to state claims in two substantially similar actions, the court found amendment futile and dismissed without leave to amend.

DISPOSITION

dismissed

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Bell Atlantic v. Twombly, 550 U.S. 544, 570 (2007)
- Parks Sch. of Bus., Inc. v. Symington, 51 F.3d 1480, 1484 (9th Cir. 1995)
- Balistreri v. Pacifica Police Dep’t, 901 F.2d 696, 699 (9th Cir. 1990)
- Epstein v. Wash. Energy Co., 83 F.3d 1136, 1140 (9th Cir. 1996)
- Heck v. Humphrey, 512 U.S. 477, 486-87 (1994)
- Cousins v. Lockyer, 568 F.3d 1063 (9th Cir. 2009)
- McMillian v. Monroe County, Ala., 520 U.S. 781 (1997)
- Weiner v. San Diego County, 210 F.3d 1025, 1031 (9th Cir. 2000)
- Bd. of Cnty. Comm’rs of Bryan Cnty., Okl. v. Brown, 520 U.S. 397, 403 (1997)
- Monell v. Dep’t of Social Servs., 436 U.S. 658, 665-83, 694 (1978)
- Saul v. United States, 928 F.2d 828, 843 (9th Cir. 1991)

- Wilson v. Garcia, 471 U.S. 261, 275-76 (1985)
- McDougal v. County of Imperial, 942 F.2d 668, 674 (9th Cir. 1991)
- Brown v. Pouncy, 93 F.4th 331 (5th Cir.), cert. denied, 145 S. Ct. 170, 220 L. Ed. 2d (2024)

OPINION

Smiley James Harris, A.R. v. U. S. DEPT. OF JUSTICE, et al.

PER CURIAM.

1 2 3 4 5 6

7 UNITED STATES DISTRICT COURT

8 NORTHERN DISTRICT OF CALIFORNIA

9

SMILEY JAMES HARRIS, A.R.,

10 Case No. 25-cv-07664-RS Plaintiff, 11

v. ORDER GRANTING MOTION TO

12 DISMISS

U. S. DEPT. OF JUSTICE, et al., 13 Defendants. 14

15 I. INTRODUCTION

16 Defendants’ motion to dismiss is granted. Plaintiff Smiley James Harris has filed at least 17 two
prior pro se suits in this district this year, Nos. 3:25-cv-1587-JD and 25-cv-01594-JD. Both 18
were dismissed for failure to state a claim, and Plaintiff failed to amend adequately in the first case
19 and altogether in the second. Here, Plaintiff, proceeding pro se, again sues various government
20 actors based on conclusory allegations and scant, hard-to-follow facts that fail to state a claim
21 upon which relief can be granted.¹

22 II. LEGAL STANDARD

23 A complaint must contain “a short and plain statement of the claim showing that the 24 pleader
is entitled to relief.” Fed. R. Civ. P. 8(a)(2). While “detailed factual allegations” are not 25
required, a complaint must have sufficient factual allegations to “state a claim to relief that is 26
27 1 Pursuant to Civil Local Rule 7-1(b), the motion is suitable for disposition without oral
argument, 1 plausible on its face.” Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009) (citing Bell Atlantic
v. Twombly, 2 550 U.S. 544, 570 (2007)). A claim is facially plausible “when the pleaded factual
content allows 3 the court to draw the reasonable inference that the defendant is liable for the
misconduct alleged.” 4 Id. This standard asks for “more than a sheer possibility that a defendant
acted unlawfully.” Id. 5 The determination is a context-specific task requiring the court “to draw
on its judicial experience 6 and common sense.” Id. at 679. 7 A motion to dismiss a complaint
under Rule 12(b)(6) of the Federal Rules of Civil 8 Procedure tests the legal sufficiency of the
claims averred in the complaint. See Parks Sch. of Bus., 9 Inc. v. Symington, 51 F.3d 1480, 1484
(9th Cir. 1995). Dismissal under Rule 12(b)(6) may be 10 based either on the “lack of a cognizable
legal theory” or on “the absence of sufficient facts 11 alleged under a cognizable legal theory.”

Balistreri v. Pacifica Police Dep't, 901 F.2d 696, 699 12 (9th Cir. 1990). When evaluating such a motion, the court must accept all material allegations in 13 the complaint as true, even if doubtful, and construe them in the light most favorable to the 14 nonmoving party. Twombly, 550 U.S. at 570. "[C]onclusory allegations of law and unwarranted 15 inferences," however, "are insufficient to defeat a motion to dismiss for failure to state a claim." 16 Epstein v. Wash. Energy Co., 83 F.3d 1136, 1140 (9th Cir. 1996). See also Iqbal, 556 U.S. at 678 17 ("threadbare recitals of the elements of the claim for relief, supported by mere conclusory 18 statements," are not taken as true). While leave to amend is generally granted liberally, if 19 amendment would be futile, then dismissal without leave to amend is within the court's 20 discretion. See, e.g., Saul v. United States, 928 F.2d 828, 843 (9th Cir. 1991).

21 III. BACKGROUND

22 Plaintiff names the U.S. Department of Justice, the California Department of Justice, the 23 State of California, the California Department of Motor Vehicles, the County of Lake, the City of 24 Clearlake, and the Clearlake Police Department as Defendants. As for their averred misconduct, it 25 seems to relate to Plaintiff's various arrests and convictions between 2015-2022, which Plaintiff 26 avers were "false" and maliciously prosecuted and which resulted in Plaintiff's incarceration and 27 loss of a vehicle. Plaintiff also suggests their misconduct is tied to failure to take notice of two 1 affidavits—a "commercial" affidavit and "clarification of citizenship" affidavit. As for the legal 2 rights implicated, throughout his complaint, Plaintiff asserts "loss of Liberty, loss of Happiness, 3 loss of property, loss of Life over the span of time in violation of plaintiff's rights to be free from 4 such actions as secured by including, but not limited to: Title 18 U.S.C. §§241, §242, §245(1), 5 §1346, and as secured by Title 42 U.S.C. §§1983, §1985(3), and §1986; also as secured by the 6 First, Fourth, Fifth, and Fourteenth Amendments to the United States Constitution."

7 IV. DISCUSSION

8 The complaint fails to allege facts sufficient to give Defendants fair notice. For example, 9 which investigations, arrests, or convictions and conduct or related policies therein allegedly 10 violated the law and caused harm? Plaintiff does no more than provide a series of superior court 11 case numbers and make conclusory allegations. And yet, even if there were not an "absence of 12 sufficient facts alleged," the complaint "lack[s] a cognizable legal theory" for the reasons set forth 13 below. Balistreri, 901 F.2d at 699. 14 Plaintiff's claims for damages based on unconstitutional convictions or imprisonments are 15 barred by Heck v. Humphrey because Plaintiff does not allege the convictions or sentences were 16 reversed, expunged, declared invalid, or called into question by a writ of habeas corpus. 512 U.S. 17 477, 486-87 (1994). Plaintiff's claims based on prosecutorial action are barred by the Eleventh 18 Amendment and absolute immunity. See Cousins v. Lockyer, 568 F.3d 1063 (9th Cir. 2009) 19 (absolute immunity for liability under § 1983 when a state prosecuting attorney pursues a criminal 20 prosecution, acting within his role); McMillian v. Monroe County, Ala., 520 U.S. 781 (1997) 21 (Eleventh Amendment immunity for

state actors in their official capacity); *Weiner v. San Diego 22 County*, 210 F.3d 1025, 1031 (9th Cir. 2000) (local prosecutor acts as a state actor in prosecuting 23 crimes). 24 Plaintiff's actions pursuant to Title 42 U.S.C. §§1983, 1985(3), and 1986 are time barred, 25 subject to a one-year statute of limitations with the most recent conviction cited in the complaint 26 27 1 occurring in 2022." As for his Monell claims against the County of Lake, the allegations seem to 2 || rely on respondent superior liability under §1983 arising from court or district attorney actions— 3 which is not a cognizable legal theory. See *Bd. of Cnty. Comm'rs of Bryan Cnty., Okl. v. Brown*, 452 U.S. 397, 403 (1997); *Monell v. Dep't of Social Servs.*, 436 U.S. 658, 665-683, 694 (1978).

5 V. CONCLUSION

6 For the foregoing reasons, the motion to dismiss is granted. The foregoing analysis as well 7 as Plaintiff's past failures to state a claim upon which relief can be granted in substantially similar 8 cases, see Case Nos. 3:25-cv-1587-JD and 25-cv-01594-JD, show that amendment would be 9 futile. Accordingly, leave to amend is not granted. 10 11 IT IS SO ORDERED. 12 13 Dated: December 3, 2025 a

RICHARD SEEBORG

IS Chief United States District Judge 16 = 17 Z 18 19 20 21 22 23 24 lag. ow Section 1986 sets out a one-year statute of limitations. Sections 1983 and 1985(3) have no 5 federal statutes of limitations and so follow that of the most analogous state cause of action—in this case personal injury, which has a one year statute of limitations under California Code of Civil 6 Procedure § 430(3). See *Wilson v. Garcia*, 471 U.S. 261, 275-276 (1985); *McDougal v. County of Imperial*, 942 F.2d 668, 674 (9th Cir. 1991). See also *Brown vy. Pouncy*, 93 F.4th 331 (5th 27 Cir.), cert. denied, 145 S. Ct. 170, 220 L. Ed. 2d 28 (2024).

28 ORDER GRANTING MOTION TO DISMISS

CASE No. 25-cv-07664-RS