

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Farzad Allaf-Motedayen v. Sonoma County Child Protective
Services, et al.

Allaf-Motedayen · No. 25-cv-03050-MMC · Decided December 2, 2025

SUMMARY

The United States District Court for the Northern District of California dismissed Farzad Allaf-Motedayen’s Third Amended Complaint without further leave to amend. The court held that the complaint did not adequately plead federal claims concerning the removal of plaintiff’s children, his arrest and alleged excessive force, or the withholding of body-worn camera footage under Brady v. Maryland. The court declined supplemental jurisdiction over the remaining state-law claims and directed the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Maxine M. Chesney
JURISDICTION	United States District Court for the Northern District of California
DECIDED	December 2, 2025
DOCKET	25-cv-03050-MMC
DISPOSITION	dismissed
PROCEDURAL POSTURE	On screening under 28 U.S.C. § 1915(e)(2), the district court reviewed plaintiff's Third Amended Complaint after previously dismissing earlier versions for failure to state cognizable federal claims and granting repeated leave to amend.
STANDARD OF REVIEW	The court screened the in forma pauperis complaint under 28 U.S.C. § 1915(e)(2), dismissing claims that were frivolous, failed to state a claim, or sought monetary relief from an immune defendant. In evaluating pleading sufficiency, the court did not accept legal conclusions couched as factual allegations as true.
PRECEDENTIAL VALUE	unpublished district court order; limited precedential value
PARTIES	Farzad Allaf-Motedayen v. Sonoma County Child Protective Services, et al.

TOPICS

section 1983 qualified immunity fourth amendment police misconduct civil procedure

PRACTICE AREAS

civil rights constitutional law civil procedure criminal procedure family law

QUESTIONS PRESENTED

1. Whether plaintiff stated a federal claim based on the removal of his children pursuant to a protective custody warrant.
2. Whether plaintiff alleged that officers arrested him without probable cause in violation of the Fourth Amendment.
3. Whether plaintiff alleged facts showing that officers used excessive force or could not claim qualified immunity when they broke his vehicle window during the arrest.
4. Whether denial of body-worn-camera footage stated a Brady claim.
5. Whether the court should exercise supplemental jurisdiction over the remaining state-law claims after dismissing all federal claims.

HOLDINGS

1. Plaintiff failed to state a cognizable federal claim based on removal of his children because he did not allege facts showing that the protective custody warrant was invalid.
2. Plaintiff failed to state an arrest claim because the allegations did not support a finding that officers lacked probable cause to arrest him for violating the restraining order.
3. Plaintiff failed to state an excessive-force claim based on officers breaking his vehicle window because he alleged no facts establishing circumstances comparable to those in which breaking a vehicle window and dragging a compliant suspect over broken glass constituted excessive force, and he failed to allege facts showing the officers were not entitled to qualified immunity.
4. Plaintiff failed to state a Brady claim because he alleged only conclusorily that the footage would have contradicted officer statements and supported his defenses, without alleging facts concerning the nature of the purported contradiction or prejudice to his ability to defend himself.
5. After dismissing all claims over which it had original jurisdiction, the court declined to exercise supplemental jurisdiction over plaintiff's remaining state-law claims and dismissed them without prejudice to refiling in state court.

KEY QUOTATIONS

“For the reasons stated above, the federal claims in the TAC are hereby DISMISSED without further leave to amend, and the state law claims in the TAC are hereby DISMISSED without prejudice to plaintiff's reasserting such claims in a state court proceeding.” (at 5)

FACTUAL BACKGROUND

Plaintiff alleged that a state-court protective custody warrant authorizing removal of his three children was facially invalid because it lacked a judicial case number, affidavit, and raised seal. He also alleged that officers arrested him for violating a restraining order without probable cause and broke his vehicle window during the arrest, purportedly using excessive force. Plaintiff further alleged that a police sergeant denied his request for body-worn-camera footage from the arrest, which he claimed violated *Brady v. Maryland*.

PROCEDURAL HISTORY

Magistrate Judge Sallie Kim dismissed the initial complaint for failure to state a cognizable claim and granted leave to amend. The First Amended Complaint was dismissed in part for failure to state a federal claim, with supplemental jurisdiction declined over the state claims, and another opportunity to amend was granted. The Second Amended Complaint was likewise dismissed as to the federal claims, with further leave to amend. After reviewing the Third Amended Complaint, the court dismissed all federal claims without further leave to amend, declined supplemental jurisdiction over the state claims, dismissed those claims without prejudice to refiling in state court, and directed the clerk to close the file.

DISPOSITION

dismissed

CASES CITED

- *Coles v. Eagle*, 704 F.3d 624, 630 (9th Cir. 2013)
- *Keates v. Koile*, 883 F.3d 1228, 1235 (9th Cir. 2018)
- *Holland v. Azevedo*, 2016 WL 1754446, at *8-*11 (N.D. Cal. May 3, 2016)
- *Brady v. Maryland*, 373 U.S. 83 (1963)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Carnegie-Mellon University v. Cohill*, 484 U.S. 343, 350 n.7 (1988)

OPINION

Allaf-Motedayen

PER CURIAM.

1 2 3

4 IN THE UNITED STATES DISTRICT COURT

5 FOR THE NORTHERN DISTRICT OF CALIFORNIA

6 7 FARZAD ALLAF-MOTEDAYEN, Case No. 25-cv-03050-MMC 8 Plaintiff,

ORDER DISMISSING THIRD

9 v. AMENDED COMPLAINT WITHOUT

FURTHER LEAVE TO AMEND;

10 SONOMA COUNTY CHILD DIRECTIONS TO CLERK

PROTECTIVE SERVICES, et al., 11 Defendants. 12 13 Before the Court is plaintiff Farzad Allaf-Motedayen's Third Amended Complaint 14 "TAC"), filed July 15, 2025 (Doc. No. 21). As plaintiff

proceeds in forma pauperis, the 15 Court must consider whether the TAC contains any cognizable claims. See 28 U.S.C. 16 § 1915(e)(2) (providing, in action where plaintiff proceeds in forma pauperis, district court 17 "shall" dismiss case if action "is frivolous or malicious," "fails to state a claim on which 18 relief may be granted," or "seeks monetary relief against a defendant who is immune 19 from such relief"). 20 By order filed April 14, 2025, Magistrate Judge Sallie Kim, to whom the above- 21 titled action was then assigned, dismissed plaintiff's initial complaint for failure to state a 22 cognizable claim and afforded plaintiff leave to amend. Plaintiff filed a First Amended 23 Complaint, and the Court, on May 15, 2025, dismissed the federal claims therein for 24 failure to allege a cognizable claim, declined to exercise supplemental jurisdiction over 25 plaintiff's state law claims, and afforded plaintiff another opportunity to amend. Plaintiff 26 thereafter filed a Second Amended Complaint ("SAC"), and, by Order filed June 18, 2025 27 ("June 18 Order"), the Court, again, dismissed the federal claims for failure to state a 1 afforded plaintiff yet another opportunity to amend. Plaintiff then filed his TAC. 2 Having read and considered the TAC, the Court rules as follows. 3 A. Federal Claims 4 As the Court has federal question jurisdiction over some of the claims asserted in 5 the TAC (see, e.g., TAC at 1-3),¹ the Court first considers whether plaintiff has stated a 6 cognizable federal claim. 7 1. Claim Based on Removal of Children 8 "Claim One" includes a federal claim based on the removal of plaintiff's three 9 children from his custody. 10 In its June 18 Order, the Court dismissed said claim, finding plaintiff had failed to 11 allege facts to support his conclusory assertion that a warrant attached to the SAC was 12 invalid. Plaintiff was afforded leave to amend for purposes of alleging any such 13 supporting facts. 14 In the TAC, plaintiff alleges the warrant is "facially invalid" because, according to 15 plaintiff, it "bore a date of November 20, 2024, had no judicial case number, no affidavit, 16 [and] no raised seal." (See TAC at 1.)² The warrant, however, was signed by a state 17 court judge on March 27, 2025 (see TAC at 77), and was supported by the declaration of 18 a social worker (see TAC at 75-76).³ Further, plaintiff cites no authority, and the Court 19 has located none, holding a warrant is invalid due to the lack of a "raised seal." Finally, 20 although the warrant did not include a case number, as, apparently, a court action had 21 not yet been filed, a "protective custody warrant" pursuant to § 340(b) of the California 22 Welfare & Institutions Code, which is the type of warrant the social worker sought and 23 1 In citing to the TAC, the Court has used herein the page number affixed to the 24 top of each page by this district's electronic filing program. 25 2 The warrant is attached as an exhibit to the TAC. (See TAC at 75-77.) 26 3 The social worker's declaration bears the notation "[s]igned on 11/22/2024" (see TAC at 76), which date, in light of other documents plaintiff has attached to the TAC (see 27 TAC at 50-51), is an obvious typographical error, and, perhaps, is what lead to plaintiff's 1 obtained, "may be issued without filing a [court action]" if the state court judge makes 2 specified findings, see Cal. Welf. & Inst. Code § 340(b), which findings the state court 3 made (see TAC at 77).⁴ 4 Accordingly, plaintiff having failed to allege facts to show the warrant was invalid, 5 his federal claim in Claim One will be dismissed without further leave to amend. 6 2. Claim Based on Arrest

7 In "Claim Two," plaintiff alleges that, on April 7, 2025, he was arrested for violating 8 the terms of a restraining order. He alleges the arrest was "made without probable 9 cause" and that, during the course of his arrest, the officers "broke the window of 10 [p]laintiff's vehicle," which conduct, he alleges, constituted "excessive force." (See TAC 11 at 2-3.) As set forth below, plaintiff has failed to allege sufficient facts to support either 12 theory, and, accordingly, Claim Two will be dismissed without further leave to amend. 13 a. Arrest 14 In its June 18 Order, the Court found plaintiff had alleged facts in the SAC that 15 established the officers "had probable cause to arrest plaintiff for violating the restraining 16 order." (See June 18 Order at 3:22-4:16.) In the TAC, plaintiff alleges no additional facts 17 regarding the arrest, and, consequently, for the reasons stated in the June 18 Order, the 18 Court finds plaintiff has failed to allege facts to support a finding that the officers lacked 19 probable cause to arrest him for violating the terms of the restraining order. 20 b. Alleged Excessive Force 21 In its June 18 Order, the Court found that, although circumstances might exist 22 where an officer could be held liable for excessive force in connection with the breaking 23 of a vehicle window, see *Coles v. Eagle*, 704 F.3d 624, 630 (9th Cir. 2012) (holding trier 24 of fact could reasonably find officers, after breaking window and proceeding to drag 25 suspect over broken glass while suspect was attempting to comply with "conflicting 26 4 The day following the detention of plaintiff's children, the social worker executed 27 a "Detention Report" (see TAC at 45), after which three different state court proceedings 1 orders" to exit vehicle, engaged in excessive force), plaintiff did not allege any 2 comparable circumstances and, consequently, failed to allege facts to support a finding 3 that the officers would not be entitled to qualified immunity, see *Keates v. Koile*, 883 F.3d 4 1228, 1235 (9th Cir. 2018) (holding plaintiff alleging civil rights claim must plead facts to 5 support finding defendant's conduct "violated clearly established constitutional rights of 6 which a reasonable officer would be aware in light of the specific context of the case," 7 i.e., facts that would "withstand[] a qualified immunity defense") (internal quotation and 8 citation omitted); see, e.g., *Holland v. Azevedo*, 2016 WL 1754446, at *8-*11 (N.D. Cal.

9 May 3, 2016) (finding no excessive force where plaintiff, who had refused to exit vehicle, 10 brought claim based on officers' breaking car window, opening car door, and pulling 11 plaintiff through open door; noting no "clearly established law" precluded their actions). 12 In the TAC, plaintiff alleges no additional facts regarding the circumstances 13 occurring at the time of his arrest and, consequently, for the reasons stated in the June 14 18 Order, the Court finds plaintiff has failed to allege facts to support a finding that the 15 officers engaged in excessive force and/or would not be entitled to qualified immunity. 16 3. "Brady" Claim 17 In "Claim Three," plaintiff includes a claim that a sergeant with the Rohnert Park 18 Police Department denied plaintiff's request to provide him "body-worn camera footage 19 from the April 7, 2025 arrest," which denial, plaintiff asserts, deprived him of his rights 20 under *Brady v. Maryland*, 373 U.S. 83 (1963). (See TAC at 3.) 21 In the June 18 Order, the Court found plaintiff failed to allege facts to support his 22 conclusory assertion that said denial prejudiced his ability to defend himself and

present 23 exculpatory evidence, noting courts are “not bound to accept as true a legal conclusion
24 couched as a factual allegation.” (See June 18 Order at 7:28-8:2 (citing *Ashcroft v. Iqbal*, 25
556 U.S. 662, 678 (2009).) 5 26 27 5 Although not expressly alleged in the TAC, plaintiff, in the
SAC, alleged he was a 1 In the TAC, plaintiff has added the conclusory assertion that the above-
referenced 2 footage “would have contradicted officer statements and supported his claim of no 3
probable cause or excessive force.” (See TAC at 3.) No facts, however, are alleged 4 regarding the
nature of any contradiction, and, consequently, plaintiff fails to cure the 5 deficiency previously
identified. 6 Accordingly, plaintiff having failed to allege facts to support a finding that the 7
sergeant, or anyone else, violated Brady, his federal claim in Claim Three will be 8 dismissed
without further leave to amend. 9 B. State Law Claims 10 As set forth above, plaintiff has failed to
state a cognizable federal claim. Under 11 such circumstances, and given that the above-titled
action remains at the pleading stage, 12 the Court declines to exercise whatever supplemental
jurisdiction it may have over 13 plaintiff’s state law claims, namely, his state law claim challenging
the removal of his 14 children (see Doc. No. 21 at 2) and his state law claim challenging the
withholding of the 15 above-referenced camera footage (see Doc. No. 21 at 15, 17); see also 28
U.S.C. 16 § 1367(c)(3) (providing district court “may decline to exercise supplemental jurisdiction
17 over a claim . . . if . . . the district court has dismissed all claims over which it has original 18
jurisdiction”); *Carnegie-Mellon University v. Cohill*, 484 U.S. 343, 350 n.7 (1988) (holding 19 “in
the usual case in which all federal-law claims are eliminated before trial, the balance 20 of factors
to be considered under the [supplemental] jurisdiction doctrine – judicial 21 economy,
convenience, fairness, and comity – will point toward declining to exercise 22 jurisdiction over the
remaining state-law claims”). 23 // 24 // 25 // 26 // 27 //

1 CONCLUSION

2 For the reasons stated above, the federal claims in the TAC are hereby 3 DISMISSED without
further leave to amend, and the state law claims in the TAC are 4 // hereby DISMISSED without
prejudice to plaintiff’s reasserting such claims in a state court 5 // proceeding. 6 The Clerk of Court
is DIRECTED to close the file. 7 IT IS SO ORDERED. 8 9 // Dated: December 2, 2025 , .

XINE M. CHESNEY

10 United States District Judge 11 12 13 16 17 18 19 20 21 22 23 24 25 26 27 28