

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Favis v. Mallori

Favis · No. 2:25-cv-1030-DAD-JDP (PS) · Decided May 9, 2025

SUMMARY

The United States District Court for the Eastern District of California recommends dismissing Stephen Favis’s amended complaint without leave to amend. The court concludes that the defendants were not alleged to be state actors for purposes of 42 U.S.C. §§ 1983 and 1985 and that the claims are barred by the Rooker-Feldman doctrine. The recommendation also directs the Clerk of Court to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 9, 2025
DOCKET	2:25-cv-1030-DAD-JDP (PS)
DISPOSITION	other
PROCEDURAL POSTURE	Findings and recommendations on screening of a pro se plaintiff's amended complaint filed in forma pauperis.
STANDARD OF REVIEW	The court applied the screening standard under 28 U.S.C. § 1915(e), requiring dismissal of claims that are frivolous, malicious, fail to state a claim, or seek relief from an immune defendant. The court also applied the Rule 8(a)(2) plausibility standard and construed the pro se complaint liberally.
PRECEDENTIAL VALUE	nonprecedential findings and recommendations; not a final district-court decision
PARTIES	Stephen Favis v. Daryl Mallori, Isabella Shin, Myeong Bae Kim

TOPICS

- section 1983
- subject matter jurisdiction
- pleadings
- civil procedure
- due process

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the amended complaint stated a cognizable claim under 42 U.S.C. § 1983 when the defendants were private individuals and the complaint did not adequately allege action under color of state law.
2. Whether the § 1985 claim could proceed without a viable underlying civil-rights claim.
3. Whether the plaintiff's claims were barred by the Rooker-Feldman doctrine because they challenged or were inextricably intertwined with issues decided in state-court proceedings.
4. Whether further leave to amend should be granted after the same deficiencies persisted in the amended complaint.

HOLDINGS

1. The amended complaint failed to state a cognizable § 1983 claim because it did not allege that any defendant acted under color of state law.
2. The § 1985 claim could not proceed because the complaint did not state a viable underlying § 1983 or other substantive civil-rights violation.
3. The claims were barred by the Rooker-Feldman doctrine because they challenged state-court decisions and were inextricably intertwined with evidentiary issues resolved in those proceedings.
4. Further leave to amend was unwarranted because the amended complaint repeated the deficiencies identified in the first complaint and amendment would be futile.

KEY QUOTATIONS

“The clearest case for dismissal based on the Rooker-Feldman doctrine occurs when a federal plaintiff asserts as a legal wrong an allegedly erroneous decision by a state court, and seeks relief from a state court judgment based on that decision.” (at 3)

“Thus, plaintiff's amended complaint contains the same deficiency I found in his first. I am forced to conclude that further opportunities to amend are futile and unwarranted.” (at 4)

FACTUAL BACKGROUND

Plaintiff alleged that Daryl Mallori, Isabella Shin, and Myeong Bae Kim suppressed evidence in state-court proceedings in which the parties sought restraining orders against one another. He asserted claims under 42 U.S.C. §§ 1983 and 1985, along with fraud-on-the-court and state-law abuse-of-process claims. The defendants were private individuals, and the complaint alleged no facts showing that they were state officials or coordinated with state officials beyond participating in court proceedings.

PROCEDURAL HISTORY

Plaintiff filed this action under 42 U.S.C. §§ 1983 and 1985, alleging that private defendants suppressed evidence in state-court restraining-order proceedings and thereby violated his constitutional rights. After the court previously screened and rejected his initial complaint, plaintiff filed an amended complaint. The magistrate

judge recommended dismissal without leave to amend and closure of the case, subject to objections and review by the assigned district judge.

DISPOSITION

other

CASES CITED

- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Kobold v. Good Samaritan Reg'l Med. Ctr., 832 F.3d 1024, 1038 (9th Cir. 2016)
- Nagrampa v. MailCoups, Inc., 469 F.3d 1257, 1264 n.2 (9th Cir. 2006) (en banc)
- Haines v. Kerner, 404 U.S. 519, 520 (1972) (per curiam)
- Hayes v. Idaho Corr. Ctr., 849 F.3d 1204, 1208 (9th Cir. 2017)
- Bruns v. Nat'l Credit Union Admin., 122 F.3d 1251, 1257 (9th Cir. 1997)
- Ivey v. Bd. of Regents, 673 F.2d 266, 268 (9th Cir. 1982)
- Belgau v. Inslee, 975 F.3d 940, 946 (9th Cir. 2020)
- Blum v. Yaretsky, 457 U.S. 991, 1002 (1982)
- Marcus v. CDC & Prevention, No. 2:22-cv-02383-SSS-ASx, 2024 U.S. Dist. LEXIS 105515, at *9 (C.D. Cal. June 12, 2024)
- Reusser v. Wachovia Bank, N.A., 525 F.3d 855, 858-59 (9th Cir. 2008)
- Henrichs v. Valley View Dev., 474 F.3d 609, 613 (9th Cir. 2007)
- Doe v. Mann, 415 F.3d 1038, 1043 (9th Cir. 2005)
- Kougasian v. TMSL, Inc., 359 F.3d 1136, 1142 (9th Cir. 2004)
- Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998)
- Martinez v. Yist, 951 F.2d 1153 (9th Cir. 1991)

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