

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Vigil v. Department of Child Support Services

No. 2:24-cv-2109-TLN-JDP (PS) (E.D. Cal. Apr. 4, 2025) · No. 2:24-cv-2109-TLN-JDP (PS) · Decided April 4, 2025

SUMMARY

The document contains findings and recommendations by a United States magistrate judge in a pro se action challenging a state-court child support order and the Department of Child Support Services' collection efforts. The court recommends dismissal without leave to amend because the claims seeking to invalidate the state order and recover payments are barred by the Rooker-Feldman doctrine. The recommendation also advises closing the case and explains the procedure and deadline for filing objections.

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	April 4, 2025
DOCKET	2:24-cv-2109-TLN-JDP (PS)
DISPOSITION	other
PROCEDURAL POSTURE	Findings and recommendations on screening of a pro se plaintiff's first amended complaint filed in forma pauperis.
STANDARD OF REVIEW	On screening an in forma pauperis complaint, the court must dismiss claims that are frivolous, malicious, fail to state a claim, or seek monetary relief from an immune defendant. The court accepts well-pleaded factual allegations for purposes of screening and construes a pro se complaint liberally, but cannot supply essential elements not pleaded. Jurisdictional issues are reviewed de novo by the district judge upon objection to findings and recommendations.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Department of Child Support Services

TOPICS

subject matter jurisdiction

pleadings

motions to dismiss

family law

civil procedure

PRACTICE AREAS

civil procedure

constitutional law

family law

federal jurisdiction

consumer protection

QUESTIONS PRESENTED

1. Whether the federal district court had jurisdiction to review and invalidate a state court child support order.
2. Whether plaintiff's first amended complaint should be dismissed without leave to amend because the jurisdictional defect could not be cured by amendment.

HOLDINGS

1. The claims were barred by the Rooker-Feldman doctrine because plaintiff sought relief for injuries allegedly caused by a state court judgment and requested that the federal court invalidate the child support order and reimburse payments made under it.
2. Dismissal without leave to amend was appropriate because the jurisdictional deficiency could not be cured through amendment.

KEY QUOTATIONS

"This court does not have jurisdiction to review the state court decision plaintiff seeks to challenge." (at 2)

"Plaintiff's request to invalidate the state court's order and require defendant to reimburse him for support payments made under that order is squarely what Rooker-Feldman prohibits." (at 3)

FACTUAL BACKGROUND

Plaintiff challenged a state court order requiring him to make child support payments to the Department of Child Support Services. He alleged that the order was invalid because the Department lacked jurisdiction to enforce it and because a deputy clerk, rather than the clerk of court, signed it. He sought to invalidate the order, stop his child support obligation, and recover \$160,592.93 allegedly collected under the order, along with relief based on federal and California statutes.

PROCEDURAL HISTORY

Plaintiff filed a first amended complaint challenging a state court child support order and seeking declaratory, injunctive, and monetary relief. On screening under 28 U.S.C. § 1915(e), the magistrate judge determined that the claims were barred by the Rooker-Feldman doctrine and recommended dismissal without leave to amend and closure of the case. The recommendations were submitted to the assigned district judge under 28 U.S.C. § 636(b)(1), subject to objections.

DISPOSITION

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)
- D.C. Court of Appeals v. Feldman, 460 U.S. 462, 483 n.16, 486 (1983)
- Bianchi v. Rylaarsdam, 334 F.3d 895, 898 (9th Cir. 2003)
- Bell v. City of Boise, 709 F.3d 890, 897 (9th Cir. 2013)
- Collins v. Grisom, No. 21-CV-2136 JLS (DEB), 2022 WL 3325665, at *3 (S.D. Cal. Aug. 11, 2022)
- Nemcik v. Mills, No. 16-CV-00322-BLF, 2016 WL 4364917, at *6 (N.D. Cal. Aug. 16, 2016)
- Rucker v. Cnty. of Santa Clara, State of Cal., No. C02-5981 JSW, 2003 WL 21440151, at *2 (N.D. Cal. June 17, 2003)
- Noll v. Carlson, 809 F.2d 1446, 1448 (9th Cir. 1987)
- Silva v. Di Vittorio, 658 F.3d 1090, 1105 (9th Cir. 2011)
- Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998)
- Martinez v. Yist, 951 F.2d 1153 (9th Cir. 1991)