

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Albert Bonds, Jr. v. Jennifer Proctor

Bonds v. Proctor · No. 2:25-cv-02417-DAD-SCR · Decided November 17, 2025

SUMMARY

These Findings and Recommendations concern a pro se plaintiff's civil action against a Solano County Superior Court judge. The magistrate judge recommends dismissal under 28 U.S.C. § 1915(e) for failure to state a claim and because the defendant is immune from monetary damages, after the plaintiff failed to file an amended complaint. The recommendations were dated November 17, 2025, and advise the parties regarding objections.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
DECIDED	November 17, 2025
DOCKET	2:25-cv-02417-DAD-SCR
DISPOSITION	other
PROCEDURAL POSTURE	Findings and recommendations by a magistrate judge recommending dismissal of a pro se civil-rights action after screening and failure to amend.
STANDARD OF REVIEW	Screening for failure to state a claim under 28 U.S.C. § 1915(e), applying the plausibility principles of Bell Atlantic Corp. v. Twombly and Ashcroft v. Iqbal.
PRECEDENTIAL VALUE	Nonprecedential findings and recommendations; not a final district-court opinion unless adopted by the assigned district judge.

TOPICS

- section 1983
- motions to dismiss
- pleadings
- government liability
- due process

PRACTICE AREAS

- civil rights
- civil procedure
- constitutional law
- remedies

QUESTIONS PRESENTED

1. Whether the complaint stated a plausible claim for relief when it merely listed numerous causes of action without supporting factual allegations.
2. Whether the action could proceed against a state-court judge for monetary damages based on alleged judicial acts within the court's jurisdiction.
3. Whether dismissal was appropriate after Plaintiff failed to amend following a screening order identifying the complaint's deficiencies.

HOLDINGS

1. The complaint failed to state a claim because it provided only conclusory allegations and formulaic listings of causes of action without sufficient supporting factual content.
2. The action could not proceed against Defendant for monetary damages based on judicial acts because judges generally have absolute judicial immunity unless they act in the clear absence of all jurisdiction or perform an act that is not judicial in nature.

KEY QUOTATIONS

“The prior order advised Plaintiff that judges generally have absolute immunity for judicial acts taken within the jurisdiction of their courts.” (at 2)

“A formulaic recitation of the elements of a cause of action does not suffice to state a claim.” (at 2)

FACTUAL BACKGROUND

Plaintiff sued Jennifer Proctor, identified as a Solano County Superior Court judge, alleging that she violated his constitutional rights, disregarded his assertion that he was exempt from statutory codes, held him in custody for 60 days while claiming incompetence, refused to accept his affidavits, and ignored relevant case law. The complaint listed approximately 20 causes of action without supporting factual allegations and sought \$100 million in monetary damages. After being advised of the deficiencies and granted leave to amend, Plaintiff did not file an amended complaint.

PROCEDURAL HISTORY

The court granted Plaintiff leave to proceed in forma pauperis and screened his complaint under 28 U.S.C. § 1915(e). Plaintiff was advised that the complaint failed to state a claim and that the defendant, a state-court judge, was generally immune from damages for judicial acts. Plaintiff received 28 days to amend but filed no amended complaint. The magistrate judge therefore recommended dismissal and entry of judgment, subject to objections and review by the assigned district judge.

DISPOSITION

other

CASES CITED

- Lund v. Cowan, 5 F.4th 964, 970 (9th Cir. 2021)

- Schucker v. Rockwood, 846 F.2d 1202, 1204 (9th Cir. 1988)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555-57 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Martinez v. Yist, 951 F.2d 1153 (9th Cir. 1991)

OPINION

Proctor

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 ALBERT BONDS, Jr., No. 2:25-cv-02417-DAD-SCR 12 Plaintiff,

13 v. FINDINGS AND RECOMMENDATIONS

14 JENNIFER PROCTOR,

15 Defendant. 16

17 Plaintiff is proceeding pro se in this matter, which is referred to the undersigned pursuant 18 to Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1). The Court previously granted Plaintiff leave 19 to proceed in forma pauperis and screened Plaintiff's complaint pursuant to 28 U.S.C. §1915(e). 20 ECF No. 3. Plaintiff was advised of the deficiencies with his complaint and given 28 days to file 21 an amended complaint. Plaintiff has not filed an amended complaint, and the undersigned 22 recommends this action be dismissed for the reasons stated in the prior screening order. 23 I. The Complaint 24 Plaintiff's complaint is only three-pages long and names one defendant, Judge Jennifer 25 Proctor of Solano County Superior Court. ECF No. 1 at ¶ 2. The factual allegations are sparse, 26 consisting of five sentences. Plaintiff alleges Defendant violated his constitutional rights and 27 ignored his claims that he was exempt from "statutory codes." Id. at ¶¶ 1-2. Plaintiff alleges he 28 was held "in custody for 60 days, claiming incompetence." Id. at ¶ 3. Plaintiff further alleges 1 that Defendant refused to accept his affidavits and "ignored relevant case law." Id. at ¶¶ 4-5. 2 Plaintiff then lists 20 different causes of action, with no factual allegations described in support of 3 any of them. The counts are simply, for example: violation of due process, security fraud, 4 kidnapping, chattel theft, etc. Plaintiff seeks only monetary relief, in the form of a judgment of 5 \$100 million. 6 II. The Prior Screening Order 7 The prior order advised Plaintiff that judges generally have absolute immunity for judicial 8 acts taken within the jurisdiction of their courts. See Lund v. Cowan, 5 F.4th 964, 970 (9th Cir. 9 2021) ("It is well settled that judges are generally immune from suit for money damages."). ECF

10 No. 3 at 3. The order stated that this immunity applies unless a judge "acts in the clear absence of

11 all jurisdiction or performs an act that is not judicial in nature." Schucker v. Rockwood, 846 F.2d 12 1202, 1204 (9th Cir. 1988). Id. Plaintiff was also informed that he may not merely list

potential 13 causes of action without supporting factual content, as his original complaint does. A formulaic 14 recitation of the elements of a cause of action does not suffice to state a claim. *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555-57 (2007); *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). ECF No. 16 3 at 4. 17 The Court noted that leave to amend may be futile, but given Plaintiff's pro se status and 18 the vagueness of the allegations, the Court allowed leave to amend. *Id.* at 4. Plaintiff was given 19 28 days to file an amended complaint. That time expired on November 3, 2025, and no amended 20 complaint was filed. 21 Therefore, IT IS HEREBY RECOMMENDED that: 22 1. This action be dismissed for failure to state a claim and for seeking monetary damages 23 against a defendant immune from such relief pursuant to 28 U.S.C. § 1915(e); and 24 2. The Clerk be directed to enter Judgment and close this case. 25 These findings and recommendations are submitted to the United States District Judge 26 assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen (14) 27 days after being served with these findings and recommendations, either party may file written 28 objections with the court. Such document should be captioned "Objections to Magistrate Judge's 1 || Findings and Recommendations." Local Rule 304(d). The parties are advised that failure to file 2 || objections within the specified time may waive the right to appeal the District Court's order. 3 || *Martinez v. Yist*, 951 F.2d 1153 (9th Cir. 1991). 4 || DATED: November 17, 2025.

SEAN C. RIORDAN

7 UNITED STATES MAGISTRATE JUDGE

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