

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Petrini v. Naran

No. 5:25-cv-02896-EJD (N.D. Cal. Oct. 8, 2025) · No. 5:25-cv-02896-EJD · Decided October 8, 2025

SUMMARY

The United States District Court for the Northern District of California adopted a magistrate judge’s report and recommendation dismissing Plaintiffs’ amended complaint. Claims one through three were dismissed without leave to amend for failure to state a claim because the underlying state-court proceeding was civil rather than criminal. Claim four was dismissed for lack of subject matter jurisdiction under the Rooker-Feldman doctrine after Plaintiffs failed to file a further amended complaint.

CASE DETAILS

COURT	United States District Court for the Northern District of California
JURISDICTION	United States District Court for the Northern District of California
DECIDED	October 8, 2025
DOCKET	5:25-cv-02896-EJD
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed and adopted a magistrate judge's report and recommendation recommending dismissal of the amended complaint for failure to state a claim and lack of subject matter jurisdiction.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Katrina Popovich Petrini, et al. v. Sarju Naran, et al.

TOPICS

- subject matter jurisdiction
- pleadings
- civil procedure
- default judgment

PRACTICE AREAS

- civil procedure
- federal jurisdiction
- civil rights

QUESTIONS PRESENTED

1. Whether the first three claims of the first amended complaint stated a claim for relief when they were based on the mistaken premise that Defendants had initiated a criminal prosecution rather than a civil action under California Penal Code § 502.
2. Whether the Rooker-Feldman doctrine deprived the federal district court of subject matter jurisdiction over the fourth claim because the claim constituted a de facto appeal from a state-court judgment.
3. Whether Plaintiffs' objections required rejection of the magistrate judge's recommendation or further leave to amend.

HOLDINGS

1. The first three claims failed to state a claim because they were based on the mistaken premise that Defendants' state-court cross-complaint was a criminal proceeding; the cross-complaint instead asserted a civil claim authorized by California Penal Code § 502(e)(1).
2. The Rooker-Feldman doctrine deprived the federal district court of subject matter jurisdiction over the fourth claim because Plaintiffs' complaint was a de facto appeal asserting as a legal wrong an allegedly erroneous state-court decision.
3. Plaintiffs were not granted further leave to amend the first three claims, and the fourth claim was dismissed after Plaintiffs failed to file a second amended complaint by the court-ordered deadline.

KEY QUOTATIONS

“the Rooker-Feldman doctrine ‘prohibits a federal district court from exercising subject matter jurisdiction over a suit that is a de facto appeal from a state court judgment.’” (at 4)

“Plaintiffs’ complaint is a de facto appeal because they are asserting ‘as a legal wrong an allegedly erroneous decision by a state court.’” (at 5)

FACTUAL BACKGROUND

The federal action arose from an earlier California state-court proceeding in which Defendants filed a cross-complaint alleging a violation of California Penal Code § 502. Plaintiffs alleged that the state-court proceeding resulted in a default judgment exceeding \$171,000 that was enforced against their property in Texas. Their federal claims treated the state-court proceeding as criminal and sought relief based on alleged errors in the state-court judgment.

PROCEDURAL HISTORY

Plaintiffs filed an original complaint concerning an earlier state-court action and a judgment allegedly enforced against property in Texas. On screening under 28 U.S.C. § 1915(e), the magistrate judge found the original complaint deficient; after Plaintiffs filed a first amended complaint, a second screening order found the first three claims failed to state a claim and the fourth claim was barred by lack of subject matter jurisdiction, granting leave to amend only as to the fourth claim. Plaintiffs did not timely file a second amended complaint, and the district court adopted the magistrate judge's recommendation, overruled Plaintiffs' objections, and dismissed the action.

DISPOSITION

dismissed

CASES CITED

- Kougasian v. TMSL, Inc., 359 F.3d 1136, 1139-1140 (9th Cir. 2004)
- Noel v. Hall, 341 F.3d 1148, 1154 (9th Cir. 2003)

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6
SAN JOSE DIVISION 7 8 KATRINA POPOVICH PETRINI, et al., Case No. 5:25-cv-02896-EJD
9 Plaintiff, ORDER ADOPTING MAGISTRATE 10 v. JUDGE'S REPORT AND
RECOMMENDATION 11 SARJU NARAN, et al., Re: ECF No. 21 12 Defendant. 13 14 The
Court has reviewed Magistrate Judge Van Keulen's Report and Recommendation 15 ("Report") to
dismiss this action for failure to state a claim and for lack of subject matter 16 jurisdiction, as well
as Plaintiffs' objections to the report.

See Report, ECF No. 21; Pls.' Obj., 17 ECF No. 22. The Court finds the Report correct, well-
reasoned, and thorough, and ADOPTS it in 18 every respect. 19 This action relates to an earlier
suit in state court in which Defendants filed a cross- 20 complaint against Plaintiff Petrini that
included a claim for violation of California Penal Code § 21 502, the Computer Data Access and
Fraud Act.

See Compl., ECF No. 1, Ex. A. The original 22 complaint alleged that the state court lawsuit
resulted in a judgment against Plaintiff Petrini that 23 has been enforced against Plaintiffs'
property in Texas. See generally Compl.

On May 22, 2025, 24 Judge Van Keulen issued a screening order under 28 U.S.C. § 1915(e)
finding that the original 25 complaint failed to state a claim for relief. First Screening Order, ECF
No. 12. On June 12, 2025, 26 Plaintiffs filed an amended complaint ("FAC") pursuant to the First
Screening Order. FAC, ECF 27 No. 15.

On July 21, 2025, Judge Van Keulen issued a second screening order with respect to the 1 FAC,
finding that the first, second, and third claims failed to state a claim for relief and that leave 2 to
amend those claims would be futile.

Second Screening Order, ECF No. 19 at 4–5, 7. The 3 Second Screening Order also found that the
Court lacks subject matter jurisdiction over the fourth 4 claim but gave Plaintiffs leave to amend
as to that cause of action. Id. at 2, 5–7. Plaintiffs did not 5 file a Second Amended Complaint by
the August 20, 2025, deadline.

As a result, on September 8, 6 2025, Judge Van Keulen issued the Report recommending that the Court dismiss the FAC in its 7 entirety without leave to amend. See Report at 2. 8 On September 19, 2025, Plaintiffs, who are proceeding pro se, filed a timely Objection to 9 the Report. Plaintiffs' objections seem to fall into four categories: (1) that Defendants had 10 instituted "a criminal prosecution in state civil court," (2) that "there is no state court judgment," 11 (3) that "Rooker v. Feldman does not apply here as this...Court is not being requested to review a 12 state court judgment," and (4) what may be an argument about wrongful conduct by a private 13 party ("The relationship between [J]udge Kirwan and the prosecuting defendants is an out[-]of[- 14]court action that had a direct effect on the court[']s proceedings.") Pls.' Obj. at 2–5.

The Court 15 addresses each of Plaintiffs' four arguments below. 16 Plaintiffs contend that Defendants pursued "a criminal prosecution in state civil court." Id. 17 at 2. As the Report explains, this is not correct. See Report at 3–4.

The state court cross- 18 complaint contains a claim for violation of California Penal Code § 502. Id. at 3. As the Report 19 has already explained, Section 502(e)(1) permits "the owner or lessee of the computer, computer 20 system, computer network, computer program or data" to "bring civil action against the violator" 21 when the violator causes "damage or loss by reason of a violation of any of the provisions of 22 subdivision (c)..." Cal. Penal.

C. § 502(e)(1) (emphasis added). That is what Defendants did. 23 Since Plaintiffs brought their first three claims assuming that the Defendants had brought a 24 criminal action, not a civil one, their complaint fails as to those three claims. 25 Plaintiffs remaining three broad objections all seem to relate to whether the Rooker- 26 Feldman doctrine bars subject matter jurisdiction over their fourth claim.

First, Plaintiffs contend 27 that "there is no state court judgment for [the Court] to review or overturn" and that "defendants 1 confusing, because the Plaintiffs alleged in their FAC that "the defendants received a... default 2 judgment... in excess of \$171,000.00 for the plaintiffs violating California Penal Code [§] 502" 3 and that "penalties were levied against the plaintiff and the plaintiff's spouse" pursuant to that 4 judgment.

FAC at 4. Even in their Objection, Plaintiffs admit that "The defendants received a 5 default judgment for their client." Pls.' Obj. at 5. So, Plaintiffs contend both that there was and 6 that there was not a state court judgment. Since the state court judgment against Plaintiffs seems 7 to have inspired their current suit, the Court will assume that Plaintiffs meant what they said in 8 their FAC and on page five of their Objection: that there was a state court judgment against 9 Plaintiffs.

10 Second, Plaintiffs claim that "Rooker v. Feldman does not apply here as this...Court is 11 not being requested to review a state court judgment" and "[n]o request to review or overturn a 12 judgment is being made of this court." Pls.' Obj. at 5. It seems Plaintiffs believe that Rooker- 13

Feldman only applies when a party expressly asks a federal court to overturn a state court judgment.

But as the Report explained, “the Rooker-Feldman doctrine ‘prohibits a federal district court from exercising subject matter jurisdiction over a suit that is a de facto appeal from a state court judgment.’” Report at 4 (quoting *Kougasian v. TMSL, Inc.*, 359 F.3d 1136, 1139 (9th Cir. 17 2004) (emphasis added)). Plaintiffs’ complaint is a de facto appeal because they are asserting “as a legal wrong an allegedly erroneous decision by a state court.” *Kougasian*, 359 F.3d at 1140 19 (quoting *Noel v. Hall*, 341 F.3d 1148, 1154 (9th Cir.

2003)). As a result, Rooker-Feldman applies 20 to this case. 21 Finally, Plaintiffs raise a few new arguments in their Objection that are, admittedly, 22 difficult for the Court to decipher. Plaintiffs claim that “The relationship between [J]udge Kirwan 23 and the prosecuting defendants is an out[-]of[-]court action that had a direct effect on the court[']s 24 proceedings.” Pls.’ Obj. at 5.

This allegation seems to fall in the same genre as Plaintiffs’ earlier 25 claim that “an organized syndicate including judges and court clerks” caused the errors of which 26 Plaintiffs complain. FAC at 19. That is, Plaintiffs still appear to be requesting that the Court set 27 aside the state court judgment based on errors of the state court—which, as the Report explained,] In sum, Judge Van Keulen’s Report and Recommendation is adopted in full.

Plaintiffs’ 2 objections are overruled. Claims one, two, and three of the FAC are dismissed for failure to state 3 a claim; because they are based on a mistaken premise (that the cross-complaint in state court was 4 || a criminal proceeding), the Court DISMISSES those claims WITHOUT LEAVE TO AMEND. 5 Claim four is dismissed for lack of subject matter jurisdiction; because Plaintiffs failed to file a 6 Second Amended Complaint as to that fourth claim, the Court DISMISSES that claim.

7 IT IS SO ORDERED. 8 Dated: October 8, 2025 9 EDWARD J. DAVILA 10 United States District Judge 1] as 12 2B 16 17 Oo Z 18 19 20 21 22 23 24 25 26 27 28