

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

David Bennett v. Federal Bureau of Investigation, et al.

Bennett v. FBI · No. 2:24-cv-1038-KJM-SCR · Decided June 3, 2025

SUMMARY

The document contains findings and recommendations in a pro se civil rights action brought by David Bennett against the Federal Bureau of Investigation and other defendants. The magistrate judge recommends denying the plaintiff’s motions for a preliminary injunction and appointment of a guardian ad litem because the complaint failed to state a claim, the plaintiff had not shown entitlement to injunctive relief, and the record did not establish a substantial question regarding his current competency.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 3, 2025
DOCKET	2:24-cv-1038-KJM-SCR
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a civil rights action under 42 U.S.C. § 1983 and moved for a preliminary injunction and appointment of a guardian ad litem. The magistrate judge issued findings and recommendations that both motions be denied and allowed the parties twenty-one days to object.
STANDARD OF REVIEW	A preliminary injunction requires a showing of likely success on the merits, likely irreparable harm, a favorable balance of equities, and consistency with the public interest, or serious questions going to the merits with the balance of hardships sharply favoring the plaintiff. Appointment of a guardian ad litem is committed to the sound discretion of the trial court, but a Rule 17 competency determination is required when substantial evidence of incompetence is presented.
PRECEDENTIAL VALUE	Unknown; findings and recommendations of a federal magistrate judge, with no reported citation.

PARTIES

David Bennett v. Federal Bureau of Investigation, et al.

TOPICS

injunctions

guardian ad litem

guardianship procedure

section 1983

prisoners rights

PRACTICE AREAS

civil rights

prisoner litigation

injunctive relief

guardianship procedure

civil procedure

QUESTIONS PRESENTED

1. Whether Bennett was entitled to a preliminary injunction based on his allegations of eavesdropping.
2. Whether the court was required to appoint a guardian ad litem under Federal Rule of Civil Procedure 17(c) based on Bennett's prior incompetency determination and mental health records.

HOLDINGS

1. A preliminary injunction should be denied because Bennett failed to show either a likelihood of success on the merits or serious questions going to the merits, and also failed to provide sufficient evidence regarding irreparable harm, the balance of equities, and the public interest.
2. Appointment of a guardian ad litem should be denied because the record did not present a substantial question concerning Bennett's current competence.

KEY QUOTATIONS

“The proper legal standard for preliminary injunctive relief requires a party to demonstrate “that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest.”” (at 1)

“A party “is entitled to a Rule 17 competency determination when substantial evidence of incompetence is presented.”” (at 2)

“The decision whether to appoint a guardian ad litem is “left to the sound discretion the trial court.”” (at 2)

FACTUAL BACKGROUND

Bennett, who was in Yolo County pretrial custody, alleged that Google contractors, the FBI, and MRB California Enterprise were eavesdropping on what he read and wrote to deter his lawsuit. He sought a preliminary injunction based on those allegations. He also sought appointment of a guardian ad litem because he had previously been found incompetent to stand trial in his state criminal case, but the state court later found him competent to stand trial, and he successfully completed his federal in forma pauperis application.

PROCEDURAL HISTORY

Bennett, a Yolo County pretrial detainee proceeding pro se, filed this § 1983 action. The court separately screened the complaint, found that it failed to state a claim against any defendant, and granted leave to amend.

The magistrate judge then considered Bennett's motions for a preliminary injunction and appointment of a guardian ad litem, recommending denial of both motions.

DISPOSITION

other

CASES CITED

- Stormans, Inc. v. Selecky, 586 F.3d 1109, 1127 (9th Cir. 2009)
- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20, 22 (2008)
- Alliance for Wild Rockies v. Cottrell, 632 F.3d 1127, 1131-32 (9th Cir. 2011)
- Fidelity National Title Insurance Co. v. Castle, 2011 WL 5882878, at *3 (N.D. Cal. Nov. 23, 2011)
- Allen v. Calderon, 408 F.3d 1150, 1153 (9th Cir. 2005)
- Davis v. Walker, 745 F.3d 1303, 1310 (9th Cir. 2014)
- In re County of Orange, 784 F.3d 520, 523-24 (9th Cir. 2015)
- Golden Gate Way, LLC v. Stewart, 2012 WL 4482053, at *2 (N.D. Cal. Sept. 28, 2012)
- Porter v. Ollison, 620 F.3d 952, 954-55 (9th Cir. 2010)
- Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991)
- In re Jessica G., 93 Cal. App. 4th 1180, 1186 (2001)