

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Lawson-King v. Neighbor to Neighbor Homes, LLC

No. 2:25-cv-01299-DC-CKD (PS) (E.D. Cal. May 8, 2025) · No. 2:25-cv-01299-DC-CKD (PS) · Decided May 9, 2025

SUMMARY

The United States District Court for the Eastern District of California grants Janice Lawson-King’s application to proceed in forma pauperis but dismisses her complaint for failure to provide fair notice of cognizable claims and sufficient factual allegations. The court grants leave to amend within 30 days and notes that abstention may be required if a related state-court unlawful detainer action is pending.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Carolyn K. Delaney
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 9, 2025
DOCKET	2:25-cv-01299-DC-CKD (PS)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se plaintiff filed a complaint and an application to proceed in forma pauperis. The magistrate judge granted in forma pauperis status, screened the complaint under 28 U.S.C. § 1915(e), dismissed the complaint for failure to state a claim and failure to provide fair notice, and granted leave to amend.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2)(B), the court screens an in forma pauperis complaint and must dismiss it if it is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief from an immune defendant. The court accepts well-pleaded factual allegations as true, construes them in the light most favorable to the plaintiff, and liberally construes pro se pleadings. The complaint must contain enough factual matter to state a plausible claim and must provide fair notice of the claims and grounds for relief.
PRECEDENTIAL VALUE	nonprecedential

PARTIES

Janice Lawson-King v. Neighbor to Neighbor Homes, LLC, et al.

TOPICS

pleadings

motions to dismiss

subject matter jurisdiction

civil procedure

adverse possession

PRACTICE AREAS

civil procedure

federal jurisdiction

real estate

consumer protection

QUESTIONS PRESENTED

1. Whether the plaintiff's in forma pauperis application satisfied the requirements of 28 U.S.C. § 1915.
2. Whether the complaint stated a plausible and cognizable claim and provided fair notice of the claims, defendants, alleged misconduct, and requested relief as required by Federal Rule of Civil Procedure 8(a) (2).
3. Whether the court was required to consider subject matter jurisdiction sua sponte and potentially abstain from interfering with a related state unlawful-detainer action.

HOLDINGS

1. Plaintiff's application satisfied the requirements of 28 U.S.C. § 1915, so the request to proceed in forma pauperis was granted.
2. The complaint failed to state a claim and did not provide fair notice because it did not clearly identify the claims, the specific conduct allegedly undertaken by each defendant, or the factual and legal grounds for relief. The complaint was therefore dismissed under the in forma pauperis screening standard, with leave to amend.
3. Because the pleading defects might be curable, plaintiff was entitled to notice of the deficiencies and an opportunity to file an amended complaint.
4. Federal courts have an independent duty to determine whether subject matter jurisdiction exists, and a federal court must dismiss for lack of subject matter jurisdiction when appropriate. If a related state unlawful-detainer action concerning the property was pending, Colorado River principles would require abstention from interference with the state court's jurisdiction over the property.

KEY QUOTATIONS

"The federal courts are courts of limited jurisdiction, and a federal court has an independent duty to assess whether federal subject matter jurisdiction exists, whether or not the parties raise the issue." (at 2)

"The complaint fails to give fair notice of any cognizable claims and the grounds on which they rest." (at 3)

"Your complaint is being dismissed because it fails to state a claim. However, you are being given the chance to fix the problems identified in this order by filing an amended complaint." (at 4)

FACTUAL BACKGROUND

Plaintiff alleged that she resides at and owns property located at 8739 Lockeport Court in Elk Grove, California. The complaint appeared to assert adverse possession and claims under several federal statutes, including the Fair Debt Collection Practices Act and the Fair Credit Reporting Act. The complaint also suggested that a foreclosure sale had occurred and that an unlawful detainer action concerning the property was pending in Sacramento County Superior Court.

PROCEDURAL HISTORY

Plaintiff filed a pro se complaint on May 6, 2025, concerning property in Elk Grove, California, and requested permission to proceed in forma pauperis. The court found the application sufficient, granted the request, and screened the complaint. The court dismissed the complaint with leave to amend and gave plaintiff thirty days to file a complete amended complaint complying with the Federal Rules of Civil Procedure and local rules.

DISPOSITION

dismissed

CASES CITED

- Lopez v. Smith, 203 F.3d 1122, 1126-27, 1130-31 (9th Cir. 2000) (en banc)
- Neitzke v. Williams, 490 U.S. 319, 325, 327 (1989)
- Von Saher v. Norton Simon Museum of Art at Pasadena, 592 F.3d 954, 960 (9th Cir. 2010), cert. denied, 564 U.S. 1037 (2011)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Hebbe v. Pliler, 627 F.3d 338, 342 & n.7 (9th Cir. 2010)
- Cahill v. Liberty Mutual Insurance Co., 80 F.3d 336, 339 (9th Cir. 1996)
- United Investors Life Insurance Co. v. Waddell & Reed Inc., 360 F.3d 960, 967 (9th Cir. 2004)
- Colorado River Water Conservation District v. United States, 424 U.S. 800 (1976)
- Scherbenske v. Wachovia Mortgage, FSB, 626 F. Supp. 2d 1052, 1058 (E.D. Cal. 2009)
- 40235 Washington Street Corp. v. Lusardi, 976 F.2d 587, 588-89 (9th Cir. 1992)
- Jones v. Community Redevelopment Agency, 733 F.2d 646, 649 (9th Cir. 1984)
- McHenry v. Renne, 84 F.3d 1172, 1178-80 (9th Cir. 1996)
- Lucas v. Department of Corrections, 66 F.3d 245, 248 (9th Cir. 1995)