

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Edward Clayton Whittaker v. Christine Carringer, et al.

Whittaker v. Carringer · No. 2:25-cv-1862-TLN-JDP (PS) · Decided December 19, 2025

OPINION

Carringer

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 EDWARD CLAYTON WHITTAKER, Case No. 2:25-cv-1862-TLN-JDP (PS) 12 Plaintiff,

13 v. FINDINGS AND RECOMMENDATIONS

14 CHRISTINE CARRINGER, et al., 15 Defendant. 16 17 18 Plaintiff brings this action against
three state court judges—defendants Christine 19 Carringer, Christine Donovan, Stephaine
Grogan-Jones—and a mediator, defendant Darlene 20 Woodcock. Like his earlier complaint,
plaintiff’s first amended complaint fails to state a claim. I 21 recommend that the amended
complaint be dismissed without leave to amend. 22 Screening and Pleading Requirements 23 A
federal court must screen the complaint of any claimant seeking permission to proceed 24 in
forma pauperis. See 28 U.S.C. § 1915(e). The court must identify any cognizable claims and 25
dismiss any portion of the complaint that is frivolous or malicious, fails to state a claim upon 26
which relief may be granted, or seeks monetary relief from a defendant who is immune from such
27 relief. Id. 28 1 A complaint must contain a short and plain statement that plaintiff is entitled to
relief, 2 Fed. R. Civ. P. 8(a)(2), and provide “enough facts to state a claim to relief that is plausible
on its 3 face,” Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007). The plausibility standard
does not 4 require detailed allegations, but legal conclusions do not suffice. See Ashcroft v. Iqbal,
556 U.S. 5 662, 678 (2009). If the allegations “do not permit the court to infer more than the mere
6 possibility of misconduct,” the complaint states no claim. Id. at 679. The complaint need not 7
identify “a precise legal theory.” Kobold v. Good Samaritan Reg’l Med. Ctr., 832 F.3d 1024, 8
1038 (9th Cir. 2016). Instead, what plaintiff must state is a “claim”—a set of “allegations that 9
give rise to an enforceable right to relief.” Nagrampa v. MailCoups, Inc., 469 F.3d 1257, 1264 10
n.2 (9th Cir. 2006) (en banc) (citations omitted). 11 The court must construe a pro se litigant’s
complaint liberally. See Haines v. Kerner, 404 12 U.S. 519, 520 (1972) (per curiam). The court
may dismiss a pro se litigant’s complaint “if it 13 appears beyond doubt that the plaintiff can
prove no set of facts in support of his claim which 14 would entitle him to relief.” Hayes v. Idaho
Corr. Ctr., 849 F.3d 1204, 1208 (9th Cir. 2017). 15 However, “a liberal interpretation of a civil

rights complaint may not supply essential elements 16 of the claim that were not initially pled.”
Bruns v. Nat’l Credit Union Admin., 122 F.3d 1251, 17 1257 (9th Cir. 1997) (quoting Ivey v. Bd.
of Regents, 673 F.2d 266, 268 (9th Cir. 1982)). 18 Analysis 19 The amended complaint’s limited
allegations indicate that plaintiff seeks to challenge 20 orders issued in a state court proceeding.
Plaintiff alleges that the defendants “continued to make 21 judgments in [the] case although they
had no jurisdiction.” ECF No. 8 at 4. He also appears to 22 allege that defendants denied his
request to move the case to a different county. Id. at 8. 23 These limited allegations are insufficient
to put defendants and on notice of plaintiff’s 24 claims and the factual basis for such claims. See
Jones v. Cnty. Redev. Agency, 733 F.2d 646, 649 25 (9th Cir. 1984) (“The plaintiff must allege
with at least some degree of particularity overt acts 26 which defendants engaged in that support
the plaintiff’s claim.”). Although plaintiff does not 27 identify the specific claim he is attempt to
allege, it is apparent that he seeks to hold defendants 28 liable for actions they took in their
judicial or quasi-judicial capacities. “[J]udges are absolutely 1 immune from civil liability for
damages for their judicial acts,” Mullis v. U.S. Bankr. Cr. For 2 Dist. of Nevada, 828 F.2d 1385,
1388 (9th Cir. 1987), while mediators enjoy the quasi-judicial 3 immunity while acting within the
scope of their authority, see Sacks v. Dietrich, 663 F.3d 1065 4 (9th Cir. 2011). Accordingly,
defendants are immune from liability for any claim for damages. 5 Plaintiff’s amended complaint
contains the same deficiency as his original complaint, see 6 ECF Nos. 1 & 3, and I therefore find
that granting further opportunities to amend would be futile. 7 See Schucker v. Rockwood, 846
F.2d 1202, 1203-04 (9th Cir. 1988) (per curiam) (“Dismissal of a 8 pro se complaint without leave
to amend is proper only if it is absolutely clear that the 9 deficiencies of the complaint could not
be cured by amendment.”) (internal quotation marks and 10 citations omitted); California
Architectural Bldg. Prod. v. Franciscan Ceramics, 818 F.2d 1466, 11 1472 (9th Cir. 1988) (“Valid
reasons for denying leave to amend include undue delay, bad faith, 12 prejudice, and futility.”).
Accordingly, I recommend the amended complaint be dismissed 13 without leave to amend. 14
Accordingly, it is hereby RECOMMENDED that: 15 1. Plaintiff’s amended complaint, ECF No.
8, be DISMISSED without leave to amend. 16 2. The Clerk of Court be directed to close the case.
17 These findings and recommendations are submitted to the United States District Judge 18
assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days of
19 service of these findings and recommendations, any party may file written objections with the
20 court and serve a copy on all parties. Any such document should be captioned “Objections to
21 Magistrate Judge’s Findings and Recommendations,” and any response shall be served and
filed 22 within fourteen days of service of the objections. The parties are advised that failure to
file 23 objections within the specified time may waive the right to appeal the District Court’s
order. See 24 Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998); Martinez v. Ylst, 951 F.2d 1153
(9th Cir. 25 1991). 26 27 28 1 > IT IS SO ORDERED. Dated: _ December 19, 2025 Q_ _ _.

4 JEREMY D. PETERSON

5 UNITED STATES MAGISTRATE JUDGE

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