

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Scoggins v. Falcon Court

Scoggins · No. 1:24-cv-00188-KES-SKO · Decided March 28, 2025

SUMMARY

The United States District Court for the Eastern District of California partially adopted findings and recommendations concerning Danell Scoggins’s claims against Falcon Court and Turning Point of Central California. The court dismissed the action for failure to state a cognizable claim but granted leave to file a second amended complaint asserting a possible Fair Housing Act retaliation claim based on a notice to quit.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 28, 2025
DOCKET	1:24-cv-00188-KES-SKO
DISPOSITION	dismissed
PROCEDURAL POSTURE	A pro se plaintiff proceeding in forma pauperis objected to a magistrate judge's recommendation to dismiss her first amended complaint without leave to amend. The district court adopted the findings and recommendations in part, dismissed for failure to state a cognizable claim, and granted one final opportunity to amend.
STANDARD OF REVIEW	De novo consideration of the objected-to findings and recommendations under 28 U.S.C. § 636(b)(1)(B); the complaint was assessed for whether it stated a cognizable claim.
PRECEDENTIAL VALUE	Unpublished federal district court order; limited persuasive value.
PARTIES	Danell R. Scoggins v. Falcon Court, Turning Point of Central California

TOPICS

- pleadings
- motion to amend
- civil procedure
- civil rights
- landlord tenant

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the first amended complaint stated a cognizable claim under the Fair Housing Act.
2. Whether the plaintiff's objections and subsequently submitted notice to quit warranted leave to amend a Fair Housing Act retaliation claim.
3. What allegations were required in the second amended complaint.

HOLDINGS

1. The first amended complaint failed to state a cognizable claim.
2. The plaintiff was granted one final opportunity to amend because her objections and notice to quit identified evidence that, if adequately pleaded, might establish a Fair Housing Act retaliation claim.
3. Any second amended complaint must be complete in itself, allege all facts supporting the Fair Housing Act retaliation claim, and not rely on the prior pleadings.

KEY QUOTATIONS

"To establish a prima facie case of retaliation [under the Fair Housing Act], a plaintiff must show that (1) [she] engaged in a protected activity; (2) the defendant subjected [her] to an adverse action; and (3) a causal link exists between the protected activity and the adverse action." (Opinion at 2)

"Accordingly, while the Court grants plaintiff leave to replead her claim for retaliation under the Fair Housing Act, plaintiff must fully allege in any second amended complaint all allegations that support her claim." (Opinion at 3)

FACTUAL BACKGROUND

Scoggins alleged that the defendants discriminated against her based on disability, sexual orientation, and religion. After filing this action and objecting to the recommendation to dismiss, she received a three-day notice to quit from her landlord for alleged breaches of covenant. She characterized the notice as additional evidence of retaliation, and the district court concluded that the timing and contents of the notice might support a Fair Housing Act retaliation claim if included and adequately explained in an amended complaint.

PROCEDURAL HISTORY

Scoggins initiated the action on February 9, 2024. The magistrate judge screened the complaint, construed it as asserting an Eighth Amendment claim and Fair Housing Act disability-discrimination and retaliation claims, found the allegations insufficient, and allowed amendment. After reviewing the first amended complaint, the magistrate judge recommended dismissal without leave to amend. Scoggins objected and submitted a landlord's three-day notice to quit, which the district court found could support a Fair Housing Act retaliation claim if properly pleaded in a second amended complaint.

DISPOSITION

dismissed

CASES CITED

- McDonnell Douglas Corp. v. Green, 411 U.S. 792 (1973)
- Walker v. City of Lakewood, 272 F.3d 1114, 1128 (9th Cir. 2001)
- Washington v. Farmington Estates Owners Ass'n, 2022 WL 18399534, at *6 (D. Or. July 13, 2022)
- Elliot v. QF Circa 37, LLC, No. 16-cv-0288-BAS-AGS, 2018 WL 2933467, at *20 (S.D. Cal. June 12, 2018)
- East-Miller v. Lake County Highway Development, 421 F.3d 558, 563 (7th Cir. 2005)
- Neighorn v. Quest Health Care, 870 F. Supp. 2d 1069, 1103–04
- Thomas v. City of Beaverton, 379 F.3d 802, 812 (9th Cir. 2004)
- Donaghey v. Moorpark Bellingham Homeowners Ass'n, Inc., No. 2:22-cv-08524-DSF-MAA, 2023 WL 9318509, at *5 (C.D. Cal. Nov. 29, 2023)
- Lacey v. Maricopa County, 693 F.3d 896, 927 (9th Cir. 2012)

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