

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Smith v. Cooley

No. 1:25-cv-00421-KES-EPG (E.D. Cal. Apr. 17, 2025) · No. 1:25-cv-00421-KES-EPG · Decided April 17,
2025

SUMMARY

The United States District Court for the Eastern District of California recommends dismissal of Candace Smith’s pro se action without prejudice and without leave to amend. The court concludes that the complaint fails to comply with Federal Rule of Civil Procedure 8 and does not establish subject-matter jurisdiction. The court also orders the Clerk to correct the plaintiff’s name on the docket from “Candice” to “Candace.”

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	April 17, 2025
DOCKET	1:25-cv-00421-KES-EPG
DISPOSITION	dismissed
PROCEDURAL POSTURE	Findings and recommendations issued on screening of a pro se plaintiff's in forma pauperis complaint under 28 U.S.C. § 1915. The magistrate judge recommended dismissal without prejudice and without leave to amend, subject to objections within thirty days.
STANDARD OF REVIEW	Screening under 28 U.S.C. § 1915(e)(2)(B), including review for failure to state a claim and lack of subject-matter jurisdiction; allegations are accepted as true for screening purposes, but legal conclusions and unwarranted inferences are not accepted.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Candace Smith v. Kathy Cooley, California Lottery, Vons

TOPICS

- subject matter jurisdiction
- pleadings
- motion to amend
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the complaint complied with Federal Rule of Civil Procedure 8(a)'s requirement of a short and plain statement showing entitlement to relief.
2. Whether the complaint established federal-question jurisdiction under 28 U.S.C. § 1331.
3. Whether the complaint established diversity jurisdiction under 28 U.S.C. § 1332.
4. Whether leave to amend should be denied as futile based on Plaintiff's repeated deficient filings and the absence of an apparent jurisdictional basis.

HOLDINGS

1. The complaint failed to comply with Rule 8(a) because it relied on conclusory statements, lacked supporting factual allegations, did not clearly identify the claims, and did not make clear what each defendant allegedly did.
2. The complaint did not establish federal-question jurisdiction under 28 U.S.C. § 1331 because it alleged no facts or law supporting a federal claim.
3. The complaint did not establish diversity jurisdiction under 28 U.S.C. § 1332 because it did not allege the citizenship of the parties, notwithstanding the alleged amount in controversy.
4. Leave to amend should be denied because amendment would be futile in light of Plaintiff's extensive history of deficient filings and the absence of an apparent basis for subject-matter jurisdiction.

KEY QUOTATIONS

“A complaint is required to contain “a short and plain statement of the claim showing that the pleader is entitled to relief.”” (at 2)

“Federal courts are courts of limited jurisdiction. They possess only that power authorized by Constitution and statute” (at 5)

“It is to be presumed that a cause lies outside this limited jurisdiction, and the burden of establishing the contrary rests upon the party asserting jurisdiction.” (at 5)

“The Court concludes that Plaintiff’s complaint fails to comply with Rule 8 and the Court lacks subject-matter jurisdiction over this action.” (at 7)

FACTUAL BACKGROUND

Plaintiff Candace Smith filed a pro se complaint against Kathy Cooley, California Lottery, and Vons, alleging matters characterized as child abuse, home invasion, robbery, attempted murder, and theft. The complaint used conclusory and unclear statements and did not provide factual allegations sufficient to identify the claims or the conduct attributable to each defendant. Plaintiff asserted federal-question jurisdiction without identifying a supporting federal claim and asserted diversity jurisdiction without alleging the parties' citizenship.

PROCEDURAL HISTORY

Plaintiff filed the complaint on April 10, 2025, and proceeded in forma pauperis. On screening, the court found that the complaint failed to comply with Federal Rule of Civil Procedure 8(a) and did not establish federal subject-matter jurisdiction. The court recommended dismissal without prejudice and without leave to amend and separately ordered the Clerk to correct Plaintiff's name on the docket from "Candice" to "Candace."

DISPOSITION

dismissed

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Doe I v. Wal-Mart Stores, Inc., 572 F.3d 677, 681 (9th Cir. 2009)
- Hebbe v. Pliler, 627 F.3d 338, 342 (9th Cir. 2010)
- Union Pacific Railroad Co. v. Brotherhood of Locomotive Engineers & Trainmen General Committee of Adjustment, Central Region, 558 U.S. 67, 81 (2009)
- Arbaugh v. Y&H Corp., 546 U.S. 500, 514 (2006)
- Kokkonen v. Guardian Life Insurance Co. of America, 511 U.S. 375, 377 (1994)
- Caterpillar Inc. v. Williams, 482 U.S. 386, 392 (1987)
- Kanter v. Warner-Lambert Co., 265 F.3d 853, 857 (9th Cir. 2001)
- Morongo Band of Mission Indians v. Rose, 893 F.2d 1074, 1079 (9th Cir. 1990)
- AmerisourceBergen Corp. v. Dialysist West, Inc., 465 F.3d 946, 951 (9th Cir. 2006)
- Smith v. Spicy Mayo Rest., No. 1:25-CV-00159-KES-HBK, 2025 WL 870052, at *3 (E.D. Cal. Mar. 20, 2025)
- Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)
- Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)