

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Bradshaw v. Office of the Inspector General MI5

Bradshaw · No. 25-cv-03983-SI · Decided June 25, 2025

SUMMARY

The United States District Court for the Northern District of California dismissed the case sua sponte for lack of subject matter jurisdiction. The court concluded that the plaintiffs' allegations concerning decades-long remote torture and related government conspiracies were fictitious and legally frivolous, making amendment futile.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Susan Illston
JURISDICTION	United States District Court for the Northern District of California
DECIDED	June 25, 2025
DOCKET	25-cv-03983-SI
DISPOSITION	dismissed
PROCEDURAL POSTURE	The self-represented plaintiffs filed a federal lawsuit, and the district court sua sponte reviewed whether subject matter jurisdiction existed before service of process.
STANDARD OF REVIEW	The court independently reviewed whether subject matter jurisdiction existed and applied the rule that an obviously frivolous complaint may be dismissed sua sponte before service of process.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Rebecca L. Bradshaw, et al. v. Office of the Inspector General MI5, et al.

TOPICS

- subject matter jurisdiction
- civil procedure
- pleadings
- constitutional law
- foreign affairs

PRACTICE AREAS

- civil procedure
- constitutional law
- civil rights
- federal jurisdiction
- foreign affairs

QUESTIONS PRESENTED

1. Whether the complaint alleged a legally cognizable basis for federal subject matter jurisdiction.
2. Whether the court could dismiss the complaint sua sponte before service of process because its allegations were obviously frivolous and fictitious.

HOLDINGS

1. An obviously frivolous complaint alleging fictitious claims does not confer federal subject matter jurisdiction and may be dismissed sua sponte before service of process.
2. Dismissal without leave to amend was appropriate because amendment would be futile.

KEY QUOTATIONS

“A paid complaint that is ‘obviously frivolous’ does not confer subject matter jurisdiction and may be dismissed sua sponte before service of process.” (at 1)

“The allegations are “sufficiently fantastical to defy reality as we know it[,]” and thus the Court need not take the allegations as true.” (at 2)

FACTUAL BACKGROUND

The complaint alleged that Rebecca Bradshaw had been subjected to decades-long remote torture beginning when she was a minor, purportedly pursuant to an order involving George H.W. Bush and carried out by British intelligence agency MI5. It also alleged forced touchless interrogation, unlawful copying and confiscation of DNA, child trafficking, and various forms of technologically described torture. The court found the allegations sufficiently fantastical and fictitious that they could not support federal subject matter jurisdiction.

PROCEDURAL HISTORY

Rebecca Bradshaw filed the action on May 7, 2025, asserting constitutional and federal and state criminal-law claims against the Office of the Inspector General for MI5 and former President George H.W. Bush. The court independently examined its jurisdiction and dismissed the case for lack of subject matter jurisdiction because the complaint's allegations were fictitious and legally frivolous.

DISPOSITION

dismissed

CASES CITED

- Henderson ex rel. Henderson v. Shinseki, 562 U.S. 428, 434
- Franklin v. Murphy, 745 F.2d 1221, 1227 n. 6 (9th Cir. 1984)
- Hagans v. Lavine, 415 U.S. 528, 537
- Newby v. Obama, 681 F. Supp. 2d 53, 56 (D.D.C. 2010)
- Best v. Kelly, 39 F.3d 328, 330 (D.C. Cir. 1994)

- Bivolarevic v. U.S. C.I.A., Case No. 09-4260 SBA, 2010 WL 890147, at *2 (N.D. Cal. Mar. 8, 2010)

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