

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON**

Tremayne J. Reed v. State of Washington, et al.

Reed · No. C25-5687-KKE · Decided January 23, 2026

OPINION

Reed

PER CURIAM.

1 2 3 4

5 UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON

6 AT TACOMA

7 TREMAYNE J. REED,

8 Plaintiff, Case No. C25-5687-KKE 9 v.

ORDER DISMISSING ACTION

10 STATE OF WASHINGTON, et al., 11 Defendants. 12 Plaintiff Tremayne J. Reed, representing himself, commenced this action on August 5, 13 2025. Dkt. No. 1. The Honorable Michelle L. Peterson, United States Magistrate Judge, granted 14 Reed’s application to proceed in forma pauperis, after which Reed filed a civil rights complaint 15 under 42 U.S.C. § 1983. Dkt. Nos. 5, 6. Reed’s complaint asserts objections to a restitution order 16 entered against him, and names as defendants, the State of Washington, the Supreme Court of 17 Washington (and individual justices), and the Washington State Department of Corrections. See 18 Dkt. No. 6 at 3, 10–16. Judge Peterson subsequently ordered Reed to show cause as to why his 19 complaint should not be dismissed for lack of subject matter jurisdiction, explaining that under the 20 Rooker-Feldman doctrine, “federal district courts are without jurisdiction to hear direct appeals 21 from the judgments of state courts.” Dkt. No. 7 at 3 (citing *Cooper v. Ramos*, 704 F.3d 772, 777 22 (9th Cir. 2012)). 23 1 Now before the Court are Judge Peterson’s Report and Recommendation (“R&R”) (Dkt.

2 No. 9) and Reed’s objections (Dkt. No. 12). In her R&R, Judge Peterson recommended dismissing

3 the action with prejudice for lack of subject matter jurisdiction pursuant to Federal Rule of Civil 4 Procedure 12(h)(3). Dkt. No. 9. Judge Peterson explained that Reed’s complaint amounted to “[a]

5 ‘forbidden de facto appeal under Rooker-Feldman’” because it “‘complains of a legal wrong 6 allegedly committed by the state court, and seeks relief from the judgment of that court.’” Id. at 3 7 (citing *Hooper v. Brnovich*, 56 F.4th 619, 624 (9th Cir. 2022)). 8 Though Reed filed objections

to Judge Peterson’s R&R, none are persuasive. Reed first 9 cites to *Arellano v. Blahnik*, 16-cv-2412-CAB (MSB), 2019 WL 2710527 (S. D. Cal. June 28, 10 2019), among other cases, for the proposition that § 1983 claims should be allowed to proceed 11 where they are “not based on a theory that [the] conviction was invalid but on a theory that [the 12 defendant] violated [the plaintiff’s] right of access to the courts.” Dkt. No. 12 at 2. Such arguments 13 are unavailing where, as here, the record shows that Reed was in fact able to access the courts. As 14 Judge Peterson pointed out, when Reed initially sought relief from his legal financial obligations 15 (“LFOs”), “[t]he trial court remitted all non-restitution LFOs[.]” Dkt. No. 9 at 2. Furthermore, 16 “[i]n February 2025, Plaintiff filed a personal restraint petition in the Washington Court of 17 Appeals,” which “[t]he Court of Appeals rejected[.]” Id. 18 Reed’s second argument—that Rooker-Feldman does not apply here because it only bars 19 “overturning a conviction or sentence”—fails because it is predicated on an overly narrow reading 20 of the doctrine. See Dkt. No. 12 at 5. Indeed, as Judge Peterson explained, under Rooker-Feldman, 21 “a state-court decision is not reviewable by lower federal courts.” *Hooper*, 56 F.4th at 624 (citing 22 *Skinner v. Switzer*, 562 U.S. 521, 532 (2011)). 23 1 As such, the Court, having reviewed de novo Plaintiff’s complaint, the Report and 2 Recommendation of the Honorable Michelle L. Peterson, United States Magistrate Judge, and the 3 remaining record, hereby ORDERS: 4 (1) The Report and Recommendation is approved and adopted. Dkt. No. 9. 5 (2) Plaintiff’s complaint (Dkt. No. 6) and this action are DISMISSED with prejudice 6 under Federal Rule of Civil Procedure 12(h)(3) for lack of subject matter jurisdiction. 7 (3) The Clerk is directed to send copies of this Order to Plaintiff and to Judge 8 Peterson. 9 Dated this 23rd day of January, 2026. 10 11 A 12 Kymberly K. Evanson United States District Judge 13 14 15 16 17 18 19 20 21 22 23