

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Johnathan Harper v. Kings County, et al.

Harper v. Kings County · No. 1:23-cv-00918-JLT-BAM (PC) · Decided December 17, 2025

SUMMARY

The document contains a magistrate judge’s Findings and Recommendations recommending dismissal with prejudice of Johnathan Harper’s civil rights action against Kings County and related defendants. The recommendation is based on lack of subject matter jurisdiction because the requested injunctive relief became moot after Plaintiff’s release, as well as failure to comply with a court order and failure to prosecute.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Barbara A. McAuliffe
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 17, 2025
DOCKET	1:23-cv-00918-JLT-BAM (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Findings and recommendations by a United States magistrate judge recommending dismissal of a removed civil-rights action with prejudice for lack of subject matter jurisdiction, failure to obey a court order, and failure to prosecute.
STANDARD OF REVIEW	Screening under 28 U.S.C. § 1915A; dismissal for failure to prosecute and failure to obey a court order under the court's inherent authority and Local Rule 110; mootness and Article III case-or-controversy requirements for requested declaratory and injunctive relief.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Johnathan Harper v. Kings County, David Robinson, J. Ruiz, Does 1–50, Does 51–100

TOPICS

- subject matter jurisdiction
- pleadings
- civil procedure
- injunctions
- declaratory judgment

PRACTICE AREAS

civil procedure

civil rights

constitutional law

prisoner litigation

remedies

QUESTIONS PRESENTED

1. Whether the complaint failed to satisfy Federal Rule of Civil Procedure 8 because it was lengthy, rambling, conclusory, and failed to clearly identify the conduct, timing, and involvement of each defendant.
2. Whether Harper's requests for declaratory and injunctive relief became nonjusticiable after his release from custody and departure from the Kings County Jail.
3. Whether dismissal was warranted for failure to prosecute and failure to obey the court's order directing Harper to file an amended complaint or notice of voluntary dismissal.

HOLDINGS

1. The complaint did not satisfy Rule 8 because it was nearly forty pages long, was not a short and plain statement, and failed to clearly explain what happened, when it happened, and who was involved.
2. Harper's requests for injunctive relief were moot because he was no longer confined at the Kings County Jail and had not shown a reasonable expectation of returning there. The requested declaratory relief was also unnecessary and could not provide a useful resolution of the parties' legal relations.
3. Dismissal with prejudice was warranted because Harper failed to file the required amended complaint, failed to prosecute the action, received an express warning that noncompliance could result in dismissal, and was not subject to an effective lesser sanction.

KEY QUOTATIONS

"Declaratory relief should be denied when it will neither serve a useful purpose in clarifying and settling the legal relations in issue nor terminate the proceedings and afford relief from the uncertainty and controversy faced by the parties." (at 4)

"Insofar as Plaintiff seeks injunctive relief, any such request is now moot." (at 4)

"Since his release from custody, Plaintiff is no longer subject to the policies or practices of the Kings County Jail, and therefore there is no longer a "case or controversy" before the Court." (at 5)

"The fourth factor usually weighs against dismissal because public policy favors disposition on the merits." (at 6)

FACTUAL BACKGROUND

Harper, formerly a pretrial detainee at the Kings County Jail, challenged jail policies and practices involving grievances, alleged group retaliation and punishment, tablet access, cell lighting, write-ups, and interference with litigation. He sought only declaratory and injunctive relief. After his release from custody, he moved to residential addresses in Fresno and Sacramento Counties and did not show a reasonable expectation of returning to the Kings County Jail. He also failed to file the amended complaint ordered by the court after screening.

PROCEDURAL HISTORY

Harper, a former pretrial detainee proceeding under 42 U.S.C. § 1983, filed the action in Kings County Superior Court, and the case was removed to federal court on June 16, 2023. The court screened the complaint on November 5, 2025, found that it violated Federal Rule of Civil Procedure 8 and that subject matter jurisdiction was lacking as drafted, and granted leave to amend or voluntarily dismiss. Harper failed to comply with that order or otherwise communicate with the court, prompting these findings and recommendations.

DISPOSITION

other

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555–57 (2007)
- Doe I v. Wal-Mart Stores, Inc., 572 F.3d 677, 681 (9th Cir. 2009)
- Moss v. U.S. Secret Service, 572 F.3d 962, 969 (9th Cir. 2009)
- Eccles v. Peoples Bank of Lakewood Village, 333 U.S. 426, 431 (1948)
- United States v. Washington, 759 F.2d 1353, 1357 (9th Cir. 1985)
- Andrews v. Cervantes, 493 F.3d 1047, 1053 n.5 (9th Cir. 2007)
- Johnson v. Moore, 948 F.2d 517, 519 (9th Cir. 1991) (per curiam)
- Societe de Conditionnement en Aluminium v. Hunter Engineering Co., Inc., 655 F.2d 938, 942 (9th Cir. 1981)
- Aetna Life Ins. Co. v. Haworth, 300 U.S. 227, 239–40 (1937)
- Thompson v. Housing Authority, 782 F.2d 829, 831 (9th Cir. 1986)
- Ghazali v. Moran, 46 F.3d 52, 53–54 (9th Cir. 1995)
- Ferdik v. Bonzelet, 963 F.2d 1258, 1260–62 (9th Cir. 1992)
- Malone v. U.S. Postal Service, 833 F.2d 128, 130–33 (9th Cir. 1987)
- Henderson v. Duncan, 779 F.2d 1421, 1423–24 (9th Cir. 1986)
- Carey v. King, 856 F.2d 1439, 1440 (9th Cir. 1988)
- Anderson v. Air West, 542 F.2d 522, 524 (9th Cir. 1976)
- Pagtalunan v. Galaza, 291 F.3d 639, 643 (9th Cir. 2002)
- In re Phenylpropanolamine (PPA) Products Liability Litigation, 460 F.3d 1217, 1228 (9th Cir. 2006)
- Wilkerson v. Wheeler, 772 F.3d 834, 838–39 (9th Cir. 2014)
- Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)