

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Patrick Roy Harper v. Rita Lin, et al.

Harper v. Lin · No. 25-cv-09488-RS · Decided November 6, 2025

OPINION

1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 NORTHERN DISTRICT OF
CALIFORNIA 9 PATRICK ROY HARPER, 10 Case No. 25-cv-09488-RS Plaintiff, 11 v. ORDER
OF DISMISSAL 12 RITA LIN, et al., 13 Defendants. 14 15 16 Pro se Plaintiff Patrick Roy
Harper’s ill-defined claims against two federal district court 17 judges are identical to his claims
before this Court in Harper v. Lin, No. 25-cv-8068.

For the same 18 reasons as there, his claims here are dismissed. A trial court may dismiss a claim
under Rule 19 12(b)(6) sua sponte and without notice “where the claimant cannot possibly win
relief.” Omar v. 20 Sea-Land Serv., Inc., 813 F.2d 986, 991 (9th Cir. 1987) (citing Wong v. Bell,
642 F.2d 359, 361– 21 62 (9th Cir.1981); 5 C. Wright & A. Miller, Federal Practice and Procedure
§ 1357 at 593 22 (1969)); Fed.

R. Civ. P. 12(b)(6). 23 Plaintiff here seeks an “injunction to proceed immediately to an admiralty
bench trial,” 24 averring violations of the jurisdictional statute 28 U.S.C. Section 1916, the
Supremacy Clause, and 25 Article III of the Constitution as well as fraud on the court and “hate
crimes.” Dkt. 1. Even if 26 Plaintiff’s averments gave rise to cognizable causes of action, Plaintiff
cannot succeed because, as 27 he concedes, his “demand arises out of proceedings in” prior
district court adjudications before the 1 immunity where a plaintiff seeks to hold a judge liable for
performance of judicial acts.

See 2 Franceschi v. Schwartz, 57 F.3d 828, 830 (9th Cir.1995). Since Plaintiff cannot succeed, the
3 above-captioned civil action is dismissed with prejudice. 4 5 6 || ITISSO ORDERED. 4 8 Dated:
November 6, 2025 9 ICHARD SEEBORG 10 Chief United States District Judge 11 12 © 15 16 =
17 Z 18 19 20 21 22 23 24 25 26 27 98 ORDER OF DISMISSAL CASE No. 25-cv-09488-RS