

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Coffer v. Kliszewski

Coffer · No. 25-cv-04213-EKL · Decided June 25, 2025

SUMMARY

The United States District Court for the Northern District of California dismissed the plaintiff's § 1983 action as duplicative of an earlier case involving the same claim against the sentencing judge. The court directed the plaintiff to raise all claims and defendants, including the district attorney, in an amended complaint in the earlier case, and discussed prosecutorial immunity.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Eumi K. Lee
JURISDICTION	United States District Court for the Northern District of California
DECIDED	June 25, 2025
DOCKET	25-cv-04213-EKL
DISPOSITION	dismissed
PROCEDURAL POSTURE	A state prisoner proceeding pro se filed a civil-rights complaint under 42 U.S.C. § 1983 seeking money damages from the judge who sentenced him and the district attorney who prosecuted him. The district court dismissed the action as duplicative of an earlier case filed by the plaintiff.
PRECEDENTIAL VALUE	unpublished district court order; limited persuasive value
PARTIES	Jonathan Christopher Coffer v. Mark Kliszewski, et al.

TOPICS

- civil procedure
- section 1983
- qualified immunity
- government liability

PRACTICE AREAS

- civil procedure
- civil rights
- prisoner civil rights
- immunity

QUESTIONS PRESENTED

1. Whether the later-filed § 1983 action should be dismissed as duplicative of plaintiff's earlier action.
2. What immunity principles would apply to the district attorney's alleged conduct under § 1983.

HOLDINGS

1. The action was dismissed as duplicative because plaintiff had already filed an earlier case asserting the same claim against the judge.
2. The court stated that a state prosecuting attorney has absolute immunity for conduct undertaken in pursuing a criminal prosecution while acting as an advocate for the State and performing actions intimately associated with the judicial phase of the criminal process; qualified immunity applies to investigatory or administrative functions.

KEY QUOTATIONS

“This case will be dismissed as duplicative. Plaintiff must identify all his claims and defendants in an amended complaint in the earlier case.” (at 1)

“Plaintiff is informed that a state prosecuting attorney enjoys absolute immunity from liability under Section 1983 for her conduct in “pursuing a criminal prosecution” insofar as she acts within her role as an “advocate for the State” and her actions are “intimately associated with the judicial phase of the criminal process.”” (at 1)

“This case is DISMISSED as duplicative.” (at 2)

FACTUAL BACKGROUND

Jonathan Christopher Coffey, a state prisoner, filed a pro se § 1983 complaint seeking money damages from the judge who sentenced him in his criminal case and the district attorney who prosecuted him. He had previously filed another action raising the same claim against the judge, and that earlier action remained available for amendment. The district court treated the later action as duplicative and directed Coffey to include all claims and defendants in the earlier case.

PROCEDURAL HISTORY

Plaintiff filed this action after filing an earlier case asserting the same claim against Judge Kliszewski. In a concurrent order, the earlier case was dismissed with leave to amend. The court dismissed this action as duplicative and directed plaintiff to assert all claims and defendants in the earlier case; it also vacated the pending motion to file by mail.

DISPOSITION

dismissed

CASES CITED

- Coffey v. Judge Kliszewski, Case No. 25-cv-1464 EKL

- Imbler v. Pachtman, 424 U.S. 409, 430-31 (1976)
- Buckley v. [incomplete citation in source]
- Kalina v. Fletcher, 522 U.S. 118, 127 (1997)
- Adams v. Cal. Dept. of Health Servs., 487 F.3d 684, 688 (9th Cir. 2007)

OPINION

Coffer v. Kliszewski

PER CURIAM.

1 2 3

4 UNITED STATES DISTRICT COURT

5 NORTHERN DISTRICT OF CALIFORNIA

6 7 JONATHAN CHRISTOPHER COFFER, Case No. 25-cv-04213-EKL 8 Plaintiff,

ORDER OF DISMISSAL

v. 9 Re: Dkt. No. 2 10 MARK KLISZEWSKI, et al., Defendants. 11 12 13 Plaintiff, a state
prisoner, filed a pro se civil rights complaint under 42 U.S.C. § 1983, 14 seeking money damages
against the judge who sentenced him in his criminal case and the district 15 attorney who
prosecuted him. Court records indicate that plaintiff filed an earlier case raising the 16 same claim
against the judge. See Coffer v. Judge Kliszewski, Case No. 25-cv-1464 EKL. In a 17 concurrent
order, that complaint was dismissed with leave to file an amended complaint. 18 This case will be
dismissed as duplicative. Plaintiff must identify all his claims and 19 defendants in an amended
complaint in the earlier case. The earlier case did not name the district 20 attorney as a defendant.
Plaintiff may present allegations against her in an amended complaint in 21 that case. 22 Plaintiff
is informed that a state prosecuting attorney enjoys absolute immunity from 23 liability under
Section 1983 for her conduct in “pursuing a criminal prosecution” insofar as she 24 acts within her
role as an “advocate for the State” and her actions are “intimately associated with 25 the judicial
phase of the criminal process.” Imbler v. Pachtman, 424 U.S. 409, 430-31 (1976). 26 But
prosecutors are entitled only to qualified immunity when they perform investigatory or 27
administrative functions or are essentially functioning as police officers or detectives. Buckley v. 1
or administrative, courts look at “the nature of the function performed, not the identity of the actor
2 who performed it.” Kalina v. Fletcher, 522 U.S. 118, 127 (1997). 3 This case is DISMISSED as
duplicative. See Adams v. Cal. Dept. of Health Servs., 487 4 F.3d 684, 688 (9th Cir. 2007).
Plaintiff should bring all his claims and name all defendants in the 5 || earlier filed case. The
pending motion to file by mail (ECF No. 2) is VACATED. To the extent 6 || plaintiff seeks relief
regarding self-harm, he should talk to staff at his prison, and may file a case 7 in the Eastern
District of California where he is incarcerated. 8 IT IS SO ORDERED. 9 Dated: June 25 ,2025 10
11 Eumi K. Lee 12 United States District Judge © 15 16 = 17 Z 18 19 20 21 22 23 24 25 26 27 28

