

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Wu v. Kerstenzis

Wu v. Kerstenzis · No. 2:24-cv-3353-DJC-JDP (PS) · Decided February 28, 2025

SUMMARY

The United States District Court for the Eastern District of California dismisses Rebecca Wu’s pro se complaint concerning the termination of her teaching job, while granting leave to amend. The court identifies potential barriers arising from the Younger abstention and Rooker-Feldman doctrines because of related state-court litigation. The court also grants plaintiff’s application to proceed in forma pauperis and requires an amended complaint or voluntary dismissal within thirty days.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	February 28, 2025
DOCKET	2:24-cv-3353-DJC-JDP (PS)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se plaintiff brought an action alleging that defendants violated her rights by terminating her teaching job. The court screened the complaint under the in forma pauperis statute, dismissed it with leave to amend, and granted leave to proceed in forma pauperis.
STANDARD OF REVIEW	The court screened the complaint under 28 U.S.C. § 1915(e), determining whether any claim was frivolous or malicious, failed to state a claim upon which relief may be granted, or sought monetary relief from an immune defendant. It applied the Rule 8 and plausibility standards and construed the pro se complaint liberally.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive rather than precedential.
PARTIES	Rebecca Wu v. Cost Kerstenzis, et al.

TOPICS

- pleadings
- civil procedure
- section 1983
- subject matter jurisdiction
- motions to dismiss

PRACTICE AREAS

Civil procedure

Civil rights

Employment law

Federal jurisdiction

QUESTIONS PRESENTED

1. Whether the complaint stated a cognizable claim for relief under the pleading standards applicable to an in forma pauperis action.
2. Whether related ongoing state-court proceedings required federal abstention under *Younger v. Harris*.
3. Whether finalized state-court proceedings potentially deprived the federal district court of subject matter jurisdiction under the Rooker-Feldman doctrine.
4. Whether plaintiff should be granted leave to amend after dismissal of the complaint.

HOLDINGS

1. A federal court must screen a complaint filed by a claimant proceeding in forma pauperis and dismiss claims that are frivolous or malicious, fail to state a claim upon which relief may be granted, or seek monetary relief from an immune defendant.
2. A pro se plaintiff must allege sufficient facts identifying each claim and each defendant's involvement; liberal construction cannot supply essential elements that were not pleaded.
3. Related ongoing state-court proceedings may require the federal court to abstain from interfering under *Younger v. Harris*.
4. Finalized state-court proceedings may implicate the Rooker-Feldman doctrine, which bars a federal district court from exercising subject matter jurisdiction over a de facto appeal from a state-court judgment.
5. The complaint was dismissed with leave to amend, and plaintiff was given thirty days to file an amended complaint or a notice of voluntary dismissal.

KEY QUOTATIONS

"A federal court must screen the complaint of any claimant seeking permission to proceed in forma pauperis." (1)

"The ongoing cases implicate the abstention doctrine in Younger v. Harris, 401 U.S. 37, 43-54 (1971), which commands federal courts to refrain from interfering in parallel state court proceedings in most circumstances." (2)

"The finalized cases potentially implicate the Rooker-Feldman doctrine, which "prohibits a federal district court from exercising subject matter jurisdiction over a suit that is a de facto appeal from a state court judgment."" (2)

"If plaintiff decides to file an amended complaint, the amended complaint will supersede the current one." (2)

FACTUAL BACKGROUND

Rebecca Wu alleged that various defendants violated her rights by terminating her teaching job. The complaint was lengthy and disorganized and concerned claims that had been the subject of substantial, partly ongoing litigation in state court. The court noted that at least four related state cases appeared to remain ongoing and that other state litigation had concluded, potentially implicating Younger abstention and the Rooker-Feldman doctrine.

PROCEDURAL HISTORY

Plaintiff filed a complaint and an application to proceed in forma pauperis. The court granted the in forma pauperis application, screened the complaint, found that the claims were inadequately pleaded and potentially implicated Younger abstention and Rooker-Feldman jurisdictional limitations because of related state-court litigation, and dismissed the complaint with thirty days to amend or voluntarily dismiss. The court stated that failure to do so could result in a recommendation of dismissal with prejudice.

DISPOSITION

dismissed

CASES CITED

- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Kobold v. Good Samaritan Reg'l Med. Ctr., 832 F.3d 1024, 1038 (9th Cir. 2016)
- Nagrampa v. MailCoups, Inc., 469 F.3d 1257, 1264 n.2 (9th Cir. 2006) (en banc)
- Haines v. Kerner, 404 U.S. 519, 520 (1972) (per curiam)
- Hayes v. Idaho Corr. Ctr., 849 F.3d 1204, 1208 (9th Cir. 2017)
- Bruns v. Nat'l Credit Union Admin., 122 F.3d 1251, 1257 (9th Cir. 1997)
- Ivey v. Bd. of Regents, 673 F.2d 266, 268 (9th Cir. 1982)
- Younger v. Harris, 401 U.S. 37, 43-54 (1971)
- Kougasian v. TMSL, Inc., 359 F.3d 1136, 1139 (9th Cir. 2004)
- Wu v. Twin Rivers United Educators, No. 2:24-cv-2707-DAD-AC (E.D. Cal. Oct. 29, 2024), ECF No. 3
- Lacey v. Maricopa Cnty., 693 F.3d 896, 907 n.1 (9th Cir. 2012) (en banc)