

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Larry Sermenov. Jeff Macomber, et al.

Sermenov. Macomber · No. 2:25-CV-02377-TLN-DMC · Decided November 25, 2025

SUMMARY

The United States District Court for the Eastern District of California partially adopts and partially declines magistrate judge findings and recommendations concerning Larry Sermenov’s civil action against Jeff Macomber and others. The court dismisses claims for declaratory and injunctive relief without prejudice under the Younger abstention doctrine but allows damages claims to proceed. The case and remaining motions are referred to the magistrate judge for further proceedings, including consideration of a possible stay.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Troy L. Nunley
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	November 25, 2025
DOCKET	2:25-CV-02377-TLN-DMC
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendations to dismiss the action under Younger abstention after the plaintiff failed to file objections.
STANDARD OF REVIEW	The magistrate judge's factual findings were presumed correct, while conclusions of law were reviewed de novo.
PRECEDENTIAL VALUE	Unknown
PARTIES	Larry Sermenov. Jeff Macomber, et al.

TOPICS

- federalism
- injunctions
- federal habeas corpus
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Younger abstention required dismissal of Plaintiff's claims for declaratory and injunctive relief because they would interfere with pending state proceedings.
2. Whether Younger abstention permitted dismissal of Plaintiff's damages claims or instead required that those claims proceed or be stayed.

HOLDINGS

1. The court dismissed Plaintiff's claims for declaratory and injunctive relief without prejudice under the Younger abstention doctrine because those claims sought federal relief that would interfere with pending state habeas and appellate proceedings.
2. The court declined to dismiss Plaintiff's damages claims on the basis of Younger abstention; damages claims should be stayed until the related state proceedings are completed rather than dismissed.

KEY QUOTATIONS

"Younger abstention is concerned with overlapping principles of equity, comity, and federalism and directs federal courts to abstain from granting injunctive or declaratory relief that would interfere with pending state or local court proceedings in certain situations." (at 1)

"However, federal courts should not dismiss actions where damages are at issue; rather, damages actions should be stayed until the state proceedings are completed." (at 1)

FACTUAL BACKGROUND

Larry Sermeno was pursuing state habeas and appellate proceedings related to an underlying criminal conviction while bringing this federal civil action. His complaint sought declaratory and injunctive relief as well as damages. The district court determined that Younger abstention applied to the equitable claims but that Ninth Circuit precedent required damages claims to be stayed rather than dismissed.

PROCEDURAL HISTORY

Plaintiff filed a civil action seeking declaratory, injunctive, and monetary relief, along with several related motions. The matter was referred to a magistrate judge, who recommended dismissal based on Younger abstention because Plaintiff was pursuing state habeas and appellate proceedings concerning his criminal conviction. The district court declined to dismiss the damages claims, adopted the recommendation as to the declaratory and injunctive claims, denied the injunction motion as moot, and referred the remaining matters back to the magistrate judge.

DISPOSITION

other

REMAND INSTRUCTIONS

The remaining motions and claims were referred back to the magistrate judge for further proceedings, including any necessary review under 28 U.S.C. § 1915(e)(2)(B) and assessment of whether the action should be stayed under Ninth Circuit precedent.

CASES CITED

- Orand v. United States, 602 F.2d 207, 208 (9th Cir.)
- Robbins v. Carey, 481 F.3d 1143, 1147 (9th Cir.)
- Younger v. Harris, 401 U.S. 37 (1971)
- Arevalo v. Hennessy, 882 F.3d 763, 765 (9th Cir.)
- Gilbertson v. Albright, 381 F.3d 965, 973 (9th Cir.)
- Gilbertson v. Albright, 381 F.3d 965, 968 (9th Cir.)
- Rhoden v. Mayberg, 361 F. App'x 895, 896 (9th Cir.)