

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Chikodi Chima v. City and County of San Francisco, et al.

Chima · No. 25-cv-10294-TSH · Decided December 22, 2025

SUMMARY

A Report and Recommendation by a magistrate judge in the Northern District of California recommends dismissal without leave to amend of Chikodi Chima’s second amended complaint. The court concludes that the claims, although framed as constitutional retaliation and access-to-courts claims, are fundamentally a domestic-relations dispute concerning child custody and are subject to abstention. The recommendation also notes that further amendment would not cure the jurisdictional deficiency.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Thomas S. Hixson
JURISDICTION	United States District Court for the Northern District of California
DECIDED	December 22, 2025
DOCKET	25-cv-10294-TSH
DISPOSITION	dismissed
PROCEDURAL POSTURE	Report and recommendation on sua sponte screening of a pro se plaintiff's second amended complaint filed in forma pauperis under 28 U.S.C. § 1915(e)(2). The magistrate judge recommended dismissal without leave to amend and reassignment to a district judge because not all parties had consented to magistrate judge jurisdiction.
STANDARD OF REVIEW	The court applied the 28 U.S.C. § 1915(e)(2) screening standard, which it stated is the same as the Federal Rule of Civil Procedure 12(b)(6) standard. The court accepted material factual allegations as true, construed them in the plaintiff's favor, and liberally construed the pro se pleading, while declining to supply essential elements not pleaded.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Chikodi Chima v. City and County of San Francisco, Callahan, Thompson, Sherman & Nosowsky, Greata Schnetzler, Sydney Rae

Gressel, Healthright 360, Fred Finch Youth Center, Security National Insurance Company, Amtrust Financial Services, Inc., Aaron Gary Buchbinder, Eric Schnurpfeil, Bold, Polsner, Nelson, Maddow & Judson, Sharon Margaret Nagle, Greenlight Financial Technology, Cristin Morneau Bretzin, Charles Enterprise Group, LLC, Isaac Safier, Law Offices of Rebecca Feigelson, Rebecca Feigelson, Law Offices of Jim Reilly, Jim Reilly, Worldwide Wellness, Inc., Dr. Stephine Michael Stewart

TOPICS

subject matter jurisdiction

child custody

family law

section 1983

civil procedure

PRACTICE AREAS

civil procedure

constitutional law

civil rights

family law

QUESTIONS PRESENTED

1. Whether the second amended complaint stated a claim cognizable under 28 U.S.C. § 1915(e)(2) and Federal Rule of Civil Procedure 12(b)(6).
2. Whether the domestic-relations exception or related abstention doctrine deprived the federal court of jurisdiction over claims arising from and centered on state-court child-custody proceedings.
3. Whether Plaintiff should be granted leave to amend after filing the second amended complaint without first obtaining leave under Federal Rule of Civil Procedure 15(a)(2).

HOLDINGS

1. A federal court should abstain from adjudicating claims that are, at their core, domestic-relations disputes involving child-custody matters, even when the complaint is styled as a constitutional or 42 U.S.C. § 1983 action and alleges a conspiracy or retaliation.
2. Dismissal without leave to amend is appropriate when it is absolutely clear that the complaint's deficiencies cannot be overcome by amendment.

KEY QUOTATIONS

“the undersigned finds the second amended complaint fails to state a claim on which relief may be granted, as it is at its core a domestic relations dispute subject to abstention.” (at 1)

“Plaintiff’s second amended complaint makes clear that this case, like his previous one, is at its core a domestic relations dispute.” (at 3)

“Based on the analysis above, the undersigned RECOMMENDS Plaintiff’s complaint be DISMISSED WITHOUT LEAVE TO AMEND.” (at 4)

FACTUAL BACKGROUND

Plaintiff alleged that numerous state, quasi-state, and private actors retaliated against him and obstructed his efforts to challenge the record and procedures in an ongoing or recently concluded California family-law custody matter. He alleged defects involving service, court orders, mediation, testimony, judicial assignments, and access to court information, and claimed resulting injuries to custody-related rights, parental decision-making authority, and family integrity. Although he framed the action as a federal civil-rights and First Amendment retaliation claim and stated that he did not seek to overturn a custody determination, the court found that the claims were centered on the custody proceedings.

PROCEDURAL HISTORY

The court granted Plaintiff leave to proceed in forma pauperis and screened the initial complaint, then screened the first amended complaint and directed service on two defendants. Plaintiff filed a second amended complaint without seeking leave of court and added numerous defendants. The magistrate judge concluded that the pleading remained fundamentally a domestic-relations dispute arising from state-court custody proceedings and recommended dismissal without leave to amend.

DISPOSITION

dismissed

CASES CITED

- Watison v. Carter, 668 F.3d 1108, 1112 (9th Cir. 2012)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555-57 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Pena v. Gardner, 976 F.2d 469, 471 (9th Cir. 1992)
- Chima v. Perkins, 2025 WL 3182071 (N.D. Cal. Nov. 5, 2025)
- Henderson ex rel. Henderson v. Shinseki, 562 U.S. 428, 434 (2011)
- Valdez v. Allstate Ins. Co., 372 F.3d 1115, 1116 (9th Cir. 2004)
- Ankenbrandt v. Richards, 504 U.S. 689, 703, 705 (1992)
- Burford v. Sun Oil Co., 319 U.S. 315 (1943)
- Csibi v. Fustos, 670 F.2d 134, 137 (9th Cir. 1982)
- Coats v. Woods, 819 F.2d 236, 237 (9th Cir. 1987)
- Thompson v. Thompson, 798 F.2d 1547, 1558 (9th Cir. 1986)
- Caetano v. Santa Clara County, 2002 WL 1677723, at *5-*6 (N.D. Cal. July 19, 2002)
- Cook, Perkiss & Liehe, Inc. v. N. Cal. Collection Serv., Inc., 911 F.2d 242, 247 (9th Cir. 1990)

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