

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

George D. Lockwood v. Harry Windsor, et al.

Lockwood v. Windsor · No. 2:24-cv-02761 SCR P · Decided October 24, 2025

SUMMARY

The court screens a pro se incarcerated plaintiff’s 42 U.S.C. § 1983 complaint under 28 U.S.C. § 1915A. It finds the complaint incoherent and factually frivolous, recommends denying in forma pauperis status, and recommends dismissal without leave to amend.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	October 24, 2025
DOCKET	2:24-cv-02761 SCR P
DISPOSITION	other
PROCEDURAL POSTURE	A pro se state prisoner brought a civil-rights action under 42 U.S.C. § 1983 and sought leave to proceed in forma pauperis. The magistrate judge screened the complaint under 28 U.S.C. § 1915A and issued findings and recommendations to deny in forma pauperis status and dismiss the complaint without leave to amend.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court must dismiss a prisoner complaint that is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant. A complaint must contain sufficient factual matter to state a facially plausible claim, and allegations are accepted as true and construed in the plaintiff’s favor when determining whether the complaint states a claim.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- prisoners rights
- section 1983
- civil rights
- pleadings
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the prisoner's complaint was subject to dismissal as frivolous under 28 U.S.C. § 1915A(b)(1).
2. Whether the complaint should be dismissed without leave to amend because further amendment would be futile.
3. Whether plaintiff's request to proceed in forma pauperis should be denied because the action was frivolous.

HOLDINGS

1. The complaint should be dismissed as frivolous because it was incoherent, presented no remotely decipherable facts or legal claims, and rested on factual contentions characterized as irrational or wholly incredible.
2. Leave to amend should be denied because the complaint was frivolous and further amendment would be futile.
3. The request to proceed in forma pauperis should be denied because the action appeared frivolous on the face of the complaint.

KEY QUOTATIONS

“A claim is legally frivolous when it lacks an arguable basis either in law or in fact.” (at 1)

“In other words, “threadbare recitals of the elements of a cause of action, supported by mere conclusory statements do not suffice.”” (at 1)

“Plaintiff’s complaint is incoherent and does not present any remotely decipherable facts or legal claims.” (at 2)

“Because the complaint is frivolous and further amendment would be futile, the complaint should be dismissed with prejudice.” (at 2)

FACTUAL BACKGROUND

Plaintiff was incarcerated at Mule Creek State Prison and named several prominent public figures, including Henry Windsor, Xi Jinping, Donald Trump, George W. Bush, and Joe Biden, as defendants. The complaint appeared to concern social-distancing practices during the COVID-19 pandemic and technological problems involving plaintiff's hearing aids. Plaintiff sought \$900 trillion in damages, but the complaint did not present decipherable facts or legal claims connecting the defendants to a violation of federal rights.

PROCEDURAL HISTORY

Plaintiff filed a prisoner civil-rights complaint and an application to proceed in forma pauperis. The magistrate judge found the complaint incoherent and frivolous, ordered that a district judge be randomly assigned, and recommended denial of the in forma pauperis application and dismissal without leave to amend. The

recommendation was submitted to the assigned district judge under 28 U.S.C. § 636(b)(1), subject to objections within twenty-one days.

DISPOSITION

other

CASES CITED

- Tripati v. First Nat. Bank & Tr., 821 F.2d 1368, 1370 (9th Cir. 1987)
- Neitzke v. Williams, 490 U.S. 319, 325, 327 (1989)
- Jackson v. Arizona, 885 F.2d 639, 640 (9th Cir. 1989)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555-557, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Erickson v. Pardus, 551 U.S. 89, 93-94 (2007)
- Scheuer v. Rhodes, 416 U.S. 232, 236 (1974)
- Denton v. Hernandez, 504 U.S. 25, 33 (1992)
- California Architectural Bldg. Prod. v. Franciscan Ceramics, 818 F.2d 1466, 1472 (9th Cir. 1987)
- Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991)

OPINION

Windsor
PER CURIAM.

1 2 3 4 5 6 7
8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10
11 GEORGE D. LOCKWOOD, No. 2:24-cv-02761 SCR P
12 Plaintiff,
13 v. ORDER AND FINDINGS AND
RECOMMENDATIONS

14 HARRY WINDSOR, et al., 15 Defendants. 16 17 Plaintiff is incarcerated in state prison and
proceeding pro se with a civil rights action 18 under 42 U.S.C. § 1983. Plaintiff’s complaint is
before the undersigned for screening. 28 U.S.C. 19 § 1915A. The complaint, which names current
and former heads of state and other public figures 20 as defendants, is incoherent and should be
dismissed without leave to amend. Because the 21 complaint is frivolous, the undersigned will
also recommend that plaintiff’s request to proceed in 22 forma pauperis be denied. See Tripati v.
First Nat. Bank & Tr., 821 F.2d 1368, 1370 (9th Cir. 23 1987) (“A district court may deny leave to
proceed in forma pauperis at the outset if it appears 24 from the face of the proposed complaint

that the action is frivolous or without merit.”).

25 STATUTORY SCREENING

26 The court is required to screen complaints brought by prisoners seeking relief against “a 27 governmental entity or officer or employee of a governmental entity.” 28 U.S.C. § 1915A(a). In 28 performing this screening function, the court must dismiss any claim that “(1) is frivolous, 1 malicious, or fails to state a claim upon which relief may be granted; or (2) seeks monetary relief 2 from a defendant who is immune from such relief.” Id. § 1915A(b). A claim is legally frivolous 3 when it lacks an arguable basis either in law or in fact. *Neitzke v. Williams*, 490 U.S. 319, 325 4 (1989). The court may dismiss a claim as frivolous if it is based on an indisputably meritless 5 legal theory or factual contentions that are baseless. *Neitzke*, 490 U.S. at 327. The critical 6 inquiry is whether a constitutional claim, however inartfully pleaded, has an arguable legal and 7 factual basis. See *Jackson v. Arizona*, 885 F.2d 639, 640 (9th Cir. 1989). 8 In order to avoid dismissal for failure to state a claim a complaint must contain more than 9 “naked assertions,” “labels and conclusions” or “a formulaic recitation of the elements of a cause 10 of action.” *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555-557 (2007). In other words, 11 “[t]hreadbare recitals of the elements of a cause of action, supported by mere conclusory 12 statements do not suffice.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). A claim upon which the 13 court can grant relief has facial plausibility. *Twombly*, 550 U.S. at 570. “A claim has facial 14 plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable 15 inference that the defendant is liable for the misconduct alleged.” *Iqbal*, 556 U.S. at 678. When 16 considering whether a complaint states a claim, the court must accept the allegations as true, 17 *Erickson v. Pardus*, 551 U.S. 89, 93-94 (2007), and construe the complaint in the light most 18 favorable to the plaintiff, *Scheuer v. Rhodes*, 416 U.S. 232, 236 (1974).

19 PLAINTIFF’S COMPLAINT

20 Plaintiff is incarcerated at Mule Creek State Prison (“MSCP”). His complaint names 21 several prominent public figures as defendants, including Henry Windsor, Xi Jinping of China, 22 President Donald Trump, and former Presidents George W. Bush and Joe Biden. (ECF No. 1 at 23 1-2.) The complaint appears to complain about social distancing practices during the Covid-19 24 pandemic and technological issues with plaintiff’s hearing aids. (Id. at 3-5.) By way of relief, the 25 complaint seeks \$900 trillion dollars. (Id. at 6.)

26 DISCUSSION

27 Plaintiff’s complaint is incoherent and does not present any remotely decipherable facts or 28 legal claims. The allegation, inferred from their inclusion, that the named defendants participated 1 | in depriving plaintiff of his federally protected rights is pure fantasy. Accordingly, the 2 | undersigned will recommend that the complaint be dismissed as frivolous. See 28 U.S.C. § 3 || 1915A(b)(1); *Denton v. Hernandez*, 504 U.S. 25, 33 (1992) (“[A] finding of factual frivolousness 4 || 1s appropriate when the facts alleged rise to the level of the irrational or the wholly incredible.”) 5 || Because the complaint is frivolous and further amendment would be futile, the

complaint should 6 || be dismissed with prejudice. See California Architectural Bldg. Prod. v. Franciscan Ceramics, 7 | 818 F.2d 1466, 1472 (9th Cir. 1988) (“Valid reasons for denying leave to amend include undue 8 | delay, bad faith, prejudice, and futility.”) (citation omitted).

9 CONCLUSION

10 In accordance with the above, IT IS HEREBY ORDERED that the Clerk of the Court 11 | shall randomly assign a district judge to this matter. 12 IT IS FURTHER RECOMMENDED that: 13 1. Plaintiffs request for leave to proceed in forma pauperis (ECF No. 2) be DENIED; 14 | and 15 2. The complaint be dismissed without leave to amend for frivolousness, 28 U.S.C. § 16 | 1915A(b)(1). 17 These findings and recommendations are submitted to the United States District Judge 18 || assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one days 19 | after being served with these findings and recommendations, plaintiff may file written objections 20 | with the court. Such a document should be captioned “Objections to Magistrate Judges Findings 21 | and Recommendations.” Plaintiff is advised that failure to file objections within the specified 22 || time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 23 | (9th Cir. 1991). 24 || DATED: October 23, 2025 mk 25)

SEAN C. RIORDAN

UNITED STATES MAGISTRATE JUDGE

27 28