

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Garrison v. U.S. Judicial Commission, et al.

Garrison · No. 25-cv-00866-EKL · Decided December 22, 2025

OPINION

Garrison

PER CURIAM.

1 2 3

4 UNITED STATES DISTRICT COURT

5 NORTHERN DISTRICT OF CALIFORNIA

6 7 STEVE GARRISON, Case No. 25-cv-00866-EKL 8 Plaintiff,

ORDER DISMISSING CASE

9 v. WITHOUT LEAVE TO AMEND

10 U.S. JUDICIAL COMMISSION, et al., Re: Dkt. Nos. 1, 2 Defendants. 11 12 13 Self-
represented Plaintiff Steve Garrison filed this action and an application to proceed in 14 forma
pauperis. See ECF No. 1 (“Complaint”), No. 2 (“IFP Application”). Having considered 15
Plaintiff’s IFP application, the application is GRANTED. In this Order, the Court screens the 16
complaint and finds that it must be dismissed with prejudice for failure to state a claim.

17 I. BACKGROUND

18 Garrison claims that three cases he previously filed in the Northern District of California 19
“were dismissed [without] a summons” and “in violation of FRCP 4.” Compl. at 3-4. Garrison 20
contends that issuance and service of a summons was mandatory in his prior cases, id. at 4, and 21
that only a grand jury can dismiss a case, id. at 7. Garrison seeks \$2.5 billion in damages, ECF
22 No. 1-1, and an injunction ordering service of the summons in the prior cases, see Compl. at 7.
23 Garrison identifies three prior cases that, in his view, were improperly dismissed. The first 24
case, Garrison v. Brown, No. 11-cv-1901 (N.D. Cal.), was dismissed on January 8, 2013. On
25 January 27, 2014, the Ninth Circuit Court of Appeals affirmed dismissal, holding that the
district

26 court “properly dismissed Garrison’s action because Garrison failed to allege sufficient facts in
his 27 Second Amended Complaint showing that defendants violated his constitutional rights.”
Mem. at 1 Garrison v. Davila, No. 13-cv-5862 (N.D. Cal.), was initially dismissed because
Garrison asserted 2 claims against defendants who were immune from liability. Order of
Dismissal at 1, ECF No. 26. 3 The case was finally dismissed on November 5, 2014, for failure to
prosecute after Garrison failed 4 to amend his complaint. Id. at 4. The third case, Garrison v.
Trump, No. 17-cv-5104 (N.D. Cal.), 5 was dismissed on December 15, 2017, after Garrison

became non-responsive and failed to update his address as required by Civil Local Rule 3-11. Order of Dismissal, ECF No. 8. In his complaint, Garrison asserts claims under the 1964 Civil Rights Act, the Racketeer Influenced and Corrupt Organizations Act (“RICO”), and 22 U.S.C. § 7102.1 These claims are brought against the “U.S. Judicial Commission,” District Judge Yvonne Gonzalez Rogers, and District Judge James Donato. The “U.S. Judicial Commission” is not a real entity, and the complaint includes only one conclusory allegation that the Commission is “responsible” for his cases being dismissed. Compl. at 4. Judge Gonzalez Rogers presided over Garrison’s Davila and Trump cases. The complaint lacks allegations against Judge Donato, who did not preside over any case referenced in the complaint.2

15 II. DISCUSSION

16 Section 1915(e)(2) requires the Court to screen complaints filed by persons proceeding in forma pauperis. The Court must identify any cognizable claims, and dismiss claims that are frivolous or malicious, fail to state a claim on which relief may be granted, or seek monetary relief against a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2)(B); see also *Lopez v. Smith*, 203 F.3d 1122, 1126-27 (9th Cir. 2000) (en banc). Here, the Court finds that the complaint must be dismissed for three reasons: for failure to state a claim, because Garrison’s claims are untimely, and because his claims are barred by judicial immunity. 24 25 1 Garrison does not specify which title of the 1964 Civil Rights Act he is invoking, and the Court cannot identify any title that may be relevant to Garrison’s allegations. Separately, the statutory provision that Garrison cites, 22 U.S.C. § 7102, does not provide a private right of action. Rather, it defines certain terms that are used in other statutes. Because Garrison references “human trafficking” in the complaint, see Compl. at 5, the Court infers that Garrison seeks to bring a claim under the Trafficking Victims Protection Act, 18 U.S.C. § 1595 (“TVPA”). 1 First, the complaint does not allege any facts that plausibly state a claim under the 1964 2 Civil Rights Act, RICO, or the TVPA. Garrison does not allege any form of discrimination that 3 could give rise to a claim under any title of the 1964 Civil Rights Act. Garrison does not allege an 4 enterprise as required for his RICO claim. See *Boyle v. United States*, 556 U.S. 938, 946 (2009) 5 (stating requirements for a RICO enterprise); *Doan v. Singh*, 617 F. App’x 684, 686 (9th Cir. 6 2015) (affirming dismissal where plaintiff failed to allege “how Defendants associated together for 7 a common purpose”). Finally, Garrison does not allege that he is a victim of human trafficking as 8 required for his TVPA claim. See 18 U.S.C. 1595(a) (providing a civil remedy for victims of 9 trafficking). 10 Second, with one possible exception, Garrison’s claims are untimely. See *Rivera v. Peri & Sons Farms, Inc.*, 735 F.3d 892, 902 (9th Cir. 2013) (holding that dismissal is appropriate when 12 the expiration of the limitations period is “apparent on the face of the complaint”). TVPA claims 13 must be brought within “10 years after the cause of action arose,” 18 U.S.C. 1595(c)(1), which is 14 the longest limitations period of the claims Garrison asserts here.3 The complaint was filed on

15 January 27, 2025, which is more than ten years after the Davila and Brown cases were

dismissed.⁴

16 Therefore, all Garrison's claims arising from dismissal of the Davila and Brown cases are time-
17 barred. The Trump case was dismissed more than seven years before this action was filed, thus
18 Garrison's RICO and TVPA claims arising from dismissal of that case are time-barred. 19
Third, because Garrison seeks monetary damages and retrospective injunctive relief, his 20 claims
are barred by judicial immunity. *Lund v. Cowan*, 5 F.4th 964, 970, 973 (9th Cir. 2021), 21 cert.
denied, 142 S. Ct. 900 (2022); see also *Ashelman v. Pope*, 793 F.2d 1072, 1075 (9th Cir. 22 1986)
(en banc) ("Judges and those performing judge-like functions are absolutely immune from 23 24 3
"The statute of limitations for civil RICO actions is four years." *Pincay v. Andrews*, 238 F.3d 25
1106, 1108 (9th Cir. 2001). The statutes of limitations for claims under the 1964 Civil Rights Act
vary, but no relevant limitations period exceeds four years. 26 4 The Court may take judicial
notice of facts that are apparent from the dockets in the prior cases – including dismissal dates –
because those cases give rise to the claims here. See *United States v. 27 Aguilar*, 782 F.3d 1101,
1103 n.1 (9th Cir. 2015) (Courts "may take notice of proceedings in other 1 damage liability for
acts performed in their official capacities."). Judicial immunity applies to 2 judicial acts, and the
dismissal of a case is a quintessential judicial act entitled to immunity. See 3 *Lund*, 5 F.4th at 971
(discussing factors used to determine whether an act is judicial). 4 Additionally, judicial immunity
bars Garrison's claims against the "U.S. Judicial Commission" 5 because Garrison seeks to hold
this entity vicariously liable for judicial acts of immune 6 Defendants. *Id.* at 973 (rejecting
proposed claims against another entity because those claims 7 "stem from the conduct" of a judge
"who enjoys judicial immunity"). 8 For the foregoing reasons, Garrison's complaint must be
dismissed for failure to state a 9 claim.

10 III. DISMISSAL IS WITHOUT LEAVE TO AMEND

11 The Court concludes that the complaint should be dismissed with prejudice and without 12
leave to amend. In making this determination, the Court considers factors such as "undue delay,
13 bad faith or dilatory motive on the part of the [Plaintiff], repeated failure to cure deficiencies
by 14 amendments previously allowed, undue prejudice to the opposing party by virtue of
allowance of 15 the amendment, and futility of amendment." *Foman v. Davis*, 371 U.S. 178, 182
(1962). The 16 Court also considers "the number of times the plaintiff has already been allowed to
amend." 17 *Schwartz v. Miller*, 153 F.4th 918, 932 (9th Cir. 2025). 18 Here, the Court finds that
dismissal without leave to amend is appropriate because 19 amendment would be futile, as
Garrison's claims are legally deficient. *Kroessler v. CVS Health 20 Corp.*, 977 F.3d 803, 815 (9th
Cir. 2020) ("If no amendment would allow the complaint to 21 withstand dismissal as a matter of
law, courts consider amendment futile."); *Lamoon, Inc. v. 22 Lamour Nail Prods., Inc.*, 373 F.
App'x 795, 797 (9th Cir. 2010) (When a plaintiff's "claims have 23 underlying legal deficiencies
that cannot be cured, amendment would be futile."). First, 24 amendment would be futile to the
extent that Garrison's claims are time-barred, and no additional 25 facts could render the claims
timely. *Hoang v. Bank of Am., N.A.*, 910 F.3d 1096, 1103 (9th Cir. 26 2018) (Leave to amend

need not be granted “when the claims are barred by the applicable statute of limitations.”). Second, amendment would be futile because Defendants are absolutely immune 1 30, 2025) (affirming dismissal of claims “on the basis of judicial immunity” without leave to 2 amend); *Ezor v. Duffy-Lewis*, 857 F. App’x 412, 413 (9th Cir. 2021) (same); *Keliuhuluhulu v. 3 Strance*, 692 F. App’x 406, 407 (9th Cir. 2017) (affirming dismissal without leave to amend of 4 || claims “barred by judicial immunity because amendment would have been futile”); *Middleton v. 5 || Martingale Investments, LLC*, 621 F. App’x 396, 396-97 (9th Cir. 2015) (same). Under these 6 || circumstances, dismissal without granting leave to amend is warranted.

7 || IV. CONCLUSION

8 For the foregoing reasons, the Court DISMISSES Garrison’s complaint with prejudice. 9 The Clerk is directed to close this case. The Clerk is also directed to unseal the record in this 10 || case. ° 11 IT IS SO ORDERED. a 12 Dated: December 22, 2025 Eumi K. Lee IS United States District Judge 16 = 17 Z 18 19 20 21 22 23 24 25 26 27 \Is The docket in this case was sealed when the complaint was filed because Garrison indicated that 2g || his complaint raised a claim under the False Claims Act, ECF No. 1-1, which is incorrect. Therefore, sealing is not necessary.