

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Bleauregard Kasadu v. David Connell; Michael Wu; Scott Management, LLC

Kasadu · No. 6:25-cv-01918-MTK · Decided December 10, 2025

SUMMARY

The United States District Court for the District of Oregon grants Bleauregard Kasadu leave to proceed in forma pauperis but dismisses his complaint with leave to amend. The court holds that the defendant judges are protected by absolute judicial immunity from damages claims, that most requested declaratory and injunctive relief is barred by the Rooker-Feldman doctrine, and that the plaintiff's facial constitutional challenge to Or. Rev. Stat. § 90.396(4) is inadequately supported.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Mustafa T. Kasubhai
JURISDICTION	United States District Court for the District of Oregon
DECIDED	December 10, 2025
DOCKET	6:25-cv-01918-MTK
DISPOSITION	other
PROCEDURAL POSTURE	Self-represented plaintiff filed a 42 U.S.C. § 1983 action and an application to proceed in forma pauperis. The district court granted the IFP application but screened and dismissed the complaint before service, with leave to amend.
STANDARD OF REVIEW	The court screened the complaint under 28 U.S.C. § 1915(e)(2), considering whether it was frivolous, failed to state a claim, or sought monetary relief from an immune defendant. In evaluating pleading sufficiency, the court applied the standards of Federal Rule of Civil Procedure 8(a)(2) and the plausibility framework of Bell Atlantic Corp. v. Twombly and Ashcroft v. Iqbal. Pro se pleadings were construed liberally.
PRECEDENTIAL VALUE	unpublished

TOPICS

subject matter jurisdiction

civil procedure

pleadings

fourteenth amendment

section 1983

PRACTICE AREAS

Civil procedure

Civil rights

Constitutional law

Landlord-tenant law

Federal jurisdiction

QUESTIONS PRESENTED

1. Whether damages claims against Judges Connell and Wu were barred by absolute judicial immunity.
2. Whether Kasadu's declaratory and injunctive claims seeking relief that would effectively review or invalidate state-court rulings were barred by the Rooker-Feldman doctrine.
3. Whether Kasadu stated a cognizable facial constitutional challenge to the preponderance-of-the-evidence provision in Or. Rev. Stat. § 90.396(4).
4. Whether the complaint should be dismissed during in forma pauperis screening, with leave to amend.

HOLDINGS

1. Judges are absolutely immune from damages liability for judicial acts performed in their official capacities, including alleged erroneous, procedurally irregular, malicious, or corrupt acts. Because Kasadu alleged only judicial acts by Judges Connell and Wu, his damages claims against them were dismissed.
2. The Rooker-Feldman doctrine bars federal district-court review of state-court judicial proceedings when the requested federal relief is inextricably intertwined with state-court decisions and would effectively reverse or invalidate those decisions.
3. Kasadu failed to state a cognizable facial constitutional challenge to the provision of Or. Rev. Stat. § 90.396(4) applying the preponderance-of-the-evidence standard in an action for possession.
4. The court may dismiss an in forma pauperis complaint before service if it is frivolous, fails to state a claim, or seeks monetary relief from an immune defendant, and a self-represented plaintiff should ordinarily be given leave to amend unless the deficiencies cannot be cured.

KEY QUOTATIONS

“Judges . . . are absolutely immune from damage liability for acts performed in their official capacities.”

“This absolute immunity insulates judges from charges of erroneous acts or irregular action, even when it is alleged that such action was driven by malicious or corrupt motives, or when the exercise of judicial authority is flawed by the commission of grave procedural errors.”

“In short, “a complaint must contain sufficient factual matter, accepted as true, to state a claim for relief that is plausible on its face.””

FACTUAL BACKGROUND

Kasadu alleged that he notified Scott Management that he would withhold rent because his dwelling was uninhabitable, was served with a 24-hour termination notice and an eviction complaint, and lost possession after

Judge Connell entered an order granting Scott's repossession request. He later received notice that personal property from the dwelling was being held in storage. Kasadu also alleged that Judge Wu issued or brought forward a nunc pro tunc order and asserted Fourteenth Amendment claims against the judges and Scott under 42 U.S.C. § 1983.

PROCEDURAL HISTORY

Kasadu challenged state-court eviction-related proceedings, judicial actions by Marion County Circuit Court Judges David Connell and Michael Wu, and Scott Management, LLC's repossession of his dwelling and handling of his property. The district court granted leave to proceed in forma pauperis, determined that damages claims against the judges were barred by absolute judicial immunity, concluded that most requested declaratory and injunctive relief was barred by the Rooker-Feldman doctrine, and dismissed the remaining facial constitutional challenge as inadequately pleaded. The complaint was dismissed with leave to amend within 30 days, and process was not to issue until further order.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand. If Kasadu elects to amend, the amended complaint must be filed within 30 days of December 10, 2025. The Clerk shall not issue process until further order.

CASES CITED

- *Neitzke v. Williams*, 490 U.S. 319, 324-25 (1989)
- *Lopez v. Smith*, 203 F.3d 1122, 1126 n.7, 1130-31 (9th Cir.)
- *Hejazi v. United States*, No. 20-35248, 2021 WL 6103104, at *1 (9th Cir. Dec. 22, 2021)
- *Hebbe v. Pliler*, 627 F.3d 338, 342 (9th Cir.)
- *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (per curiam)
- *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Papasan v. Allain*, 478 U.S. 265, 286 (1986)
- *Ashelman v. Pope*, 793 F.2d 1072, 1075 (9th Cir.)
- *In re Castillo*, 297 F.3d 940, 947 (9th Cir.)
- *Anthony v. Sanchez*, No. 3:25-CV-1548-CAB-AHG, 2025 WL 3208846, at *2 (S.D. Cal. Nov. 17, 2025)
- *S. Cal. Edison Co. v. Lynch*, 307 F.3d 794, 804 (9th Cir.)
- *Bianchi v. Rylaarsdam*, 334 F.3d 895, 898 (9th Cir.)
- *Pennzoil Co. v. Texaco, Inc.*, 481 U.S. 1, 25 (1987) (Marshall, J., concurring)
- *Cooper v. Ramos*, 704 F.3d 772, 779 (9th Cir.)
- *Fontana Empire Ctr., LLC v. City of Fontana*, 307 F.3d 987, 992 (9th Cir.)

- Alo v. Goldsmith, No. 1:23-CV-00536-SAB, 2023 WL 4239066, at *14 (E.D. Cal. June 28, 2023)
- S.D. Myers, Inc. v. City & County of San Francisco, 253 F.3d 461, 467 (9th Cir.)
- United States v. Salerno, 481 U.S. 739, 745 (1987)
- City of Los Angeles, Cal. v. Patel, 576 U.S. 409 (2015)

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