

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Tatiana Hamilton v. Trincon Residential, et al.

Hamilton · No. 2:25-cv-02504-GMN-BNW · Decided December 19, 2025

OPINION

1 UNITED STATES DISTRICT COURT 2 DISTRICT OF NEVADA 3 * * * 4 Tatiana Hamilton,
Case No. 2:25-cv-02504-GMN-BNW 5 Plaintiff, ORDER and REPORT AND 6 v.
RECOMMENDATION 7 Trincon Residential, et al., 8 Defendants. 9 10 Pro se plaintiff Tatiana
Hamilton brings this lawsuit regarding her inability to file 11 documents with the Clark County
Recorder Office. She filed a motion to proceed in forma 12 pauperis and submitted the affidavit
required by 28 U.S.C. § 1915(a) showing an inability to 13 prepay fees or costs or give security
for them.

ECF No.1. Therefore, her request to proceed in 14 forma pauperis will be granted. This Court now
screens her complaint (ECF No. 1-1) as required 15 by 28 U.S.C. § 1915(e)(2). 16 I. ANALYSIS
17 A. Screening standard 18 Upon granting a request to proceed in forma pauperis, a court must
screen the complaint 19 under 28 U.S.C. § 1915(e)(2).

In screening the complaint, a court must identify cognizable claims 20 and dismiss claims that are
frivolous, malicious, fail to state a claim on which relief may be 21 granted, or seek monetary
relief from a defendant who is immune from such relief. 28 U.S.C. 22 § 1915(e)(2). Dismissal for
failure to state a claim under § 1915(e)(2) incorporates the standard 23 for failure to state a claim
under Federal Rule of Civil Procedure 12(b)(6).

Watson v. Carter, 668 24 F.3d 1108, 1112 (9th Cir. 2012). To survive § 1915 review, a complaint
must “contain sufficient 25 factual matter, accepted as true, to state a claim to relief that is
plausible on its face.” See Ashcroft 26 v. Iqbal, 556 U.S. 662, 678 (2009).

The court liberally construes pro se complaints and may only 27 dismiss them “if it appears
beyond doubt that the plaintiff can prove no set of facts in support of 1 his claim which would
entitle him to relief.” Nordstrom v. Ryan, 762 F.3d 903, 908 (9th Cir. 2 2014) (quoting Iqbal, 556
U.S. at 678). 3 In considering whether the complaint is sufficient to state a claim, all allegations of
4 material fact are taken as true and construed in the light most favorable to the plaintiff.

Wyller 5 Summit P’ship v. Turner Broad. Sys. Inc., 135 F.3d 658, 661 (9th Cir. 1998) (citation
omitted). 6 Although the standard under Rule 12(b)(6) does not require detailed factual
allegations, a plaintiff 7 must provide more than mere labels and conclusions. Bell Atlantic Corp.
v. Twombly, 550 U.S. 8 544, 555 (2007). A formulaic recitation of the elements of a cause of
action is insufficient.

Id. 9 Unless it is clear the complaint's deficiencies could not be cured through amendment, a pro se 10 plaintiff should be given leave to amend the complaint with notice regarding the complaint's 11 deficiencies. *Cato v. United States*, 70 F.3d 1103, 1106 (9th Cir. 1995). 12 B. Screening the complaint 13 Plaintiff alleges that the Clark County Recorder Office has rejected her trust documents.

14 As a result, she claims the Recorder Office has not fulfilled her ministerial duties as provided in 15 Matthews 5:25 ("Settle matters quickly with your adversary who is taking you to court."). She 16 also alleges some wrongdoing on the part of Defendant Tricon (although the allegations are 17 unclear).

The asserted claims are "the right of redemption," and "NRS 247.145." 18 Even liberally construing the complaint, the court finds Plaintiff cannot not state a claim 19 for which relief can be granted—at least not in federal court.

As to the first claim, "the right of 20 redemption," is not a recognized cause of action. As to the second claim, NRS 247.145, it is not 21 clear how the statute was violated. In any event, this Court would not have jurisdiction over that 22 claim. "Federal district courts are courts of limited jurisdiction, possessing only that power 23 authorized by Constitution and statute." *K2 Am.*

Corp. v. Roland Oil & Gas, LLC, 653 F.3d 24 1024, 1027 (9th Cir. 2011) (quotation omitted). Federal district courts "have original jurisdiction 25 of all civil actions arising under the Constitution, laws, or treaties of the United States." 28 U.S.C. 26 § 1331. Federal district courts have original jurisdiction over civil actions in diversity cases 27 "where the matter in controversy exceeds the sum or value of \$75,000" and where the matter is 1 arises under "the Constitution, laws, or treaties of the United States," or (2) meets the amount in 2 || controversy requirement for diversity jurisdiction.

3 || IL. CONCLUSION AND RECOMMENDATION 4 IT IS THEREFORE ORDERED that Plaintiffs application to proceed in forma 5 || pauperis (ECF No. 1) is GRANTED. 6 IT IS FURTHER ORDERED that the Clerk of Court must detach and separately file 7 || plaintiffs complaint (ECF No. 1-1). 8 IT IS RECOMMENDED that Plaintiff's complaint be dismissed with prejudice. 9 10 NOTICE 11 This report and recommendation is submitted to the United States district judge assigned 12 || to this case under 28 U.S.C. § 636(b)(1).

A party who objects to this report and recommendation 13 || may file a written objection supported by points and authorities within fourteen days of being 14 || served with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely 15 || objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d 1153, 16 || 1157 (9th Cir.

1991). 17 18 DATED: December 19, 2025 19 20 LK lincO ban BRENDA WEKSLER □ 21 UNITED STATES MAGISTRATE JUDGE 22 23 24 25 26 27 28

