

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON

Gurdeep Boparai v. Muckleshoot Indian Casino

Boparai · No. C24-2046-JCC · Decided December 22, 2025

SUMMARY

The U.S. District Court for the Western District of Washington grants in part the defendant’s motion for judgment on the pleadings and denies the plaintiff’s motion to appoint counsel. The court concludes that the plaintiff’s allegations of rude and disrespectful treatment do not establish a federal question, dismisses the complaint without prejudice for lack of subject-matter jurisdiction, and declines to address sovereign immunity.

CASE DETAILS

COURT	United States District Court for the Western District of Washington
JURISDICTION	United States District Court for the Western District of Washington
DECIDED	December 22, 2025
DOCKET	C24-2046-JCC
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved for judgment on the pleadings, and Plaintiff moved for appointment of counsel. The court considered the amended complaint as the operative pleading.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Gurdeep Boparai v. Muckleshoot Indian Casino

TOPICS

- motion for judgment on the pleadings
- subject matter jurisdiction
- pleadings
- civil procedure

PRACTICE AREAS

- civil procedure
- federal jurisdiction
- pleadings

QUESTIONS PRESENTED

1. Whether Plaintiff's allegations that he was treated rudely and disrespectfully while visiting Defendant's premises pleaded a claim arising under federal law sufficient to establish federal-question jurisdiction.

2. Whether the court should grant Defendant's motion for judgment on the pleadings and dismiss the action for lack of subject matter jurisdiction.
3. Whether Plaintiff should be granted leave to amend again or appointed counsel.

HOLDINGS

1. Allegations that a patron was treated rudely and disrespectfully, without more, do not support a claim arising under federal law and do not establish federal-question jurisdiction.
2. When the operative complaint does not plead a federal question, the court must dismiss for lack of subject matter jurisdiction under Federal Rule of Civil Procedure 12(h)(3).
3. Neither leave to amend again nor appointment of counsel was warranted where the jurisdictional deficiency did not appear curable through further amendment or a complaint drafted by appointed counsel.

KEY QUOTATIONS

"This is unfortunate but does not, in and of itself, support a claim arising under federal law." (at 1)

"Plaintiff's complaint (Dkt. No. 20) is DISMISSED without prejudice." (at 2)

FACTUAL BACKGROUND

Plaintiff alleged that he visited Defendant's premises in December 2024 and was treated rudely and disrespectfully. The court concluded that this conduct, without more, did not support a claim arising under federal law. Because the complaint did not plead a federal question, the court lacked subject matter jurisdiction.

PROCEDURAL HISTORY

Plaintiff filed an amended complaint under Federal Rule of Civil Procedure 15(a)(1)(B). Defendant's motion for judgment on the pleadings was applied to the amended complaint. The court denied appointment of counsel, granted the judgment-on-the-pleadings motion in part, and dismissed the action without prejudice for lack of subject matter jurisdiction.

DISPOSITION

dismissed

CASES CITED

- *Botosan v. Fitzhugh*, 13 F. Supp. 2d 1047, 1050 (S.D. Cal. 1998)
- *Barahona v. Union Pac. R.R. Co.*, 881 F.3d 1122, 1134 (9th Cir. 2018)
- *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986)

OPINION

THE HONORABLE JOHN C. COUGHENOUR 1 2 3 4 5 6 UNITED STATES DISTRICT
COURT 7 WESTERN DISTRICT OF WASHINGTON 8 AT SEATTLE 9 GURDEEP BOPARAI,
CASE NO. C24-2046-JCC 10 Plaintiff, ORDER 11 v. 12 MUCKLESHOOT INDIAN CASINO,
13 Defendant. 14 15 This matter comes before the Court on Defendant's motion for judgment on
the pleadings 16 (Dkt. No. 17) and Plaintiff's motion to appoint counsel (Dkt.

No. 19). 17 According to Plaintiff's complaint,¹ he visited Defendant's premises in December
2024. 18 (See generally Dkt. No. 20 at 9–11.) While there, he was treated rudely and
disrespectfully. (See 19 generally *id.*) This is unfortunate but does not, in and of itself, support a
claim arising under 20 federal law. See, e.g., *Botosan v. Fitzhugh*, 13 F. Supp. 2d 1047, 1050 (S.D.

Cal. 1998) 21 (assessing Title VII and ADA claims brought by restaurant patron). And without
this, the Court 22 lacks subject matter jurisdiction. See 28 U.S.C. § 1331. Nor would this
deficiency seem curable 23 through further amendment by Plaintiff or even a new complaint
drafted by appointed counsel. 24 1 Plaintiff filed an amended complaint (Dkt. No. 20) comporting
with Federal Rule of Civil 25 Procedure 15(a)(1)(B).

Thus, it is the operative complaint and the Court applies Defendant's motion (Dkt. No. 17) to it,
rather than to the complaint on file at the time Defendant so moved 26 (Dkt. No. 5). 1 See
Barahona v. Union Pac. R.R. Co., 881 F.3d 1122, 1134 (9th Cir. 2018); *Wilborn v. 2 Escalderon*,
789 F.2d 1328, 1331 (9th Cir. 1986).

Thus, neither leave to again amend or the 3 appointment of counsel is warranted. 4 Accordingly,
Plaintiff's motion to appoint counsel (Dkt. No. 19) is DENIED and 5 Defendant's motion for a
judgment on the pleadings (Dkt. No. 17) is GRANTED in part 6 (because Plaintiff does not plead
a federal question, warranting immediate dismissal, see Fed. R. 7 Civ. P. 12(h)(3), the Court lacks
the jurisdiction to consider Defendant's sovereign immunity 8 argument).

Plaintiff's complaint (Dkt. No. 20) is DISMISSED without prejudice. 9 DATED this 22nd day of
December 2025. A 10 11 12 John C. Coughenour 13 UNITED STATES DISTRICT JUDGE 14 15
16 17 18 19 20 21 22 23 24 25 26