

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Pafford v. Dictos

Pafford · No. 1:25-cv-00636-KES-BAM · Decided July 7, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted findings and recommendations denying the plaintiff’s motions for injunctive relief and a temporary restraining order. The court found that the complaint failed to establish subject-matter jurisdiction and ordered the plaintiff to show cause within 14 days why the action should not be dismissed, or alternatively file a notice of voluntary dismissal.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 7, 2025
DOCKET	1:25-cv-00636-KES-BAM
DISPOSITION	other
PROCEDURAL POSTURE	District court review and adoption of a magistrate judge's findings and recommendations denying motions for injunctive relief and a temporary restraining order, followed by an order to show cause why the action should not be dismissed for lack of subject matter jurisdiction.
STANDARD OF REVIEW	De novo review under 28 U.S.C. § 636(b)(1) of the magistrate judge's findings and recommendations.
PRECEDENTIAL VALUE	unpublished district court order; limited persuasive value
PARTIES	Rebecca-Louise Pafford v. Paul Dictos, et al.

TOPICS

- subject matter jurisdiction
- injunctions
- civil procedure
- foreclosure

PRACTICE AREAS

- civil procedure
- federal jurisdiction
- equitable relief
- real estate

QUESTIONS PRESENTED

1. Whether the complaint established federal subject matter jurisdiction.
2. Whether the plaintiff's motions for injunctive relief and a temporary restraining order could be granted when subject matter jurisdiction was lacking.
3. Whether the magistrate judge's findings and recommendations should be adopted.

HOLDINGS

1. The complaint failed to establish federal subject matter jurisdiction, and the court therefore could not proceed with the action on the existing record.
2. The motions for injunctive relief and a temporary restraining order were denied for lack of subject matter jurisdiction.

KEY QUOTATIONS

“Courts “have an independent obligation to determine whether subject-matter jurisdiction exists, even in the absence of a challenge from any party.”” (at 1-2)

“Without jurisdiction the court cannot proceed at all in any cause. Jurisdiction is power to declare the law, and when it ceases to exist, the only function remaining to the court is that of announcing the fact and dismissing the cause.” (at 2)

FACTUAL BACKGROUND

Rebecca-Louise Pafford filed a civil action concerning matters that included a foreclosure sale and documents submitted to the Fresno County Recorder's Office. She sought injunctive relief and a temporary restraining order. The court determined that the complaint did not establish subject matter jurisdiction under either diversity or federal-question jurisdiction.

PROCEDURAL HISTORY

Plaintiff filed a civil action on May 28, 2025, along with motions for injunctive relief concerning a foreclosure sale and for a temporary restraining order concerning documents submitted to the Fresno County Recorder's Office. The magistrate judge recommended denying both motions because the complaint failed to establish federal subject matter jurisdiction and because plaintiff did not satisfy the requirements for injunctive relief. No objections were filed, and the district court conducted de novo review, adopted the findings and recommendations to the stated extent, denied the motions for lack of subject matter jurisdiction, and ordered plaintiff to show cause why the action should not be dismissed.

DISPOSITION

other

CASES CITED

- *Arbaugh v. Y&H Corp.*, 546 U.S. 500, 514 (2006)

- *Ruhrgas AG v. Marathon Oil Co.*, 526 U.S. 574, 583 (1999)
- *Steel Co. v. Citizens for a Better Environment*, 523 U.S. 83, 94, 118 S. Ct. 1003, 1012, 140 L. Ed. 2d 210 (1998)

OPINION

1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 FOR THE EASTERN DISTRICT OF CALIFORNIA 8 9 REBECCA-LOUISE PAFFORD, No. 1:25-cv-00636-KES-BAM 10 Plaintiff, ORDER ADOPTING FINDINGS AND RECOMMENDATIONS; ORDER TO SHOW 11 v. CAUSE WHY ACTION SHOULD NOT BE DISMISSED 12 PAUL DICTOS, et al., (Docs. 2, 3, 7) 13 Defendants. 14 15 Plaintiff Rebecca-Louise Pafford, proceeding pro se, filed this civil action on May 28, 16 2025.

Doc. 1. Concurrent with the filing of the complaint, plaintiff filed a motion for injunctive 17 relief regarding a foreclosure sale, Doc. 2, and a motion for a temporary restraining order 18 regarding documents submitted to the Fresno County Recorder’s Office. Doc. 3.

The motions 19 were referred to the assigned magistrate judge for the preparation of findings and 20 recommendations. Doc. 6. 21 On June 3, 2025, the magistrate judge issued findings and recommendations 22 recommending that the motions for injunctive relief and for a temporary restraining order be 23 denied. Doc. 7. Specifically, the magistrate judge found that plaintiff’s complaint failed to 24 establish subject matter jurisdiction whether based on diversity or federal question jurisdiction.

25 Id. at 3–4. Additionally, the magistrate judge determined that plaintiff had not met the 26 requirements for injunctive relief. Id. at 4–6. The findings and recommendations were served on 27 plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) 28 days after service. Id. at 7. Plaintiff has not filed any objections, and the time in which to do so 1 | has passed.

2 In accordance with the provisions of 28 U.S.C. § 636 (b)(1), the Court has conducted a de 3 | novo review of this case. Having carefully reviewed the file, the Court finds that the conclusion 4 | that plaintiff’s complaint fails to establish federal subject matter jurisdiction is supported by the 5 | record and proper analysis. Courts “have an independent obligation to determine whether 6 | subject-matter jurisdiction exists, even in the absence of a challenge from any party.” *Arbaugh v. 7 | Y&H Corp.*, 546 U.S. 500, 514 (2006) (citing *Ruhrgas AG v. Marathon Oil Co.*, 526 U.S. 574, 8 | 583 (1999)). “If the court determines at any time that it lacks subject-matter jurisdiction, the 9 | court must dismiss the action.” Fed.

R. Civ. P. 12(h)(3); see also *Steel Co. v. Citizens for a Better 10 | Env’t*, 523 US. 83, 94, 118 S. Ct. 1003, 1012, 140 L. Ed. 2d 210 (1998) (Without jurisdiction 11 | the court cannot proceed at all in

any cause. Jurisdiction is power to declare the law, and when it ceases to exist, the only function remaining to the court is that of announcing the fact and dismissing the cause.”).

Accordingly: 1. The findings and recommendations issued on June 3, 2025, Doc. 7, are adopted to the extent set forth above. 2. Plaintiff's motions for injunctive relief and for a temporary restraining order (Docs. 2 & 3) are denied for lack of subject matter jurisdiction. 3. Plaintiff is ordered to show cause within 14 days of entry of this Order why this action should not be dismissed for lack of subject matter jurisdiction.

4. Alternatively, within 14 days of entry of this Order, plaintiff may file a notice of voluntary dismissal. 5. Failure to comply with this Order will result in a dismissal of this action. IT IS SO ORDERED. Dated: July 5, 2025 UNITED STATES DISTRICT JUDGE