

**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

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 12 | ceases to exist, the only function remaining to the court is that of announcing the fact and 13 | dismissing the cause.”).

14 Accordingly: 15 1. The findings and recommendations issued on June 3, 2025, Doc. 7, are adopted to 16 the extent set forth above. 17 2. Plaintiff's motions for injunctive relief and for a temporary restraining order 18 (Docs. 2 & 3) are denied for lack of subject matter jurisdiction. 19 3. Plaintiff is ordered to show cause within 14 days of entry of this Order why this 20 action should not be dismissed for lack of subject matter jurisdiction.

21 4. Alternatively, within 14 days of entry of this Order, plaintiff may file a notice of 22 voluntary dismissal. 23 5. Failure to comply with this Order will result in a dismissal of this action. 24 25 26 | IT IS SO ORDERED. _ 27 Dated: _ July 5, 2025 4h 3g UNITED STATES DISTRICT JUDGE