

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Yu Hin Chan v. Karen May Bacdayan et al.

Chan v. Bacdayan · No. No. 2:25-cv-2692-DC-SCR · Decided January 8, 2026

SUMMARY

The United States District Court for the Eastern District of California grants Yu Hin Chan’s application to proceed in forma pauperis but finds that the complaint fails to state a claim and does not establish personal jurisdiction or venue. The court grants leave to amend, requiring factual allegations supporting the claims, jurisdiction, and venue. The order warns that failure to amend may result in dismissal or transfer to the Eastern District of New York.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	January 8, 2026
DOCKET	No. 2:25-cv-2692-DC-SCR
DISPOSITION	other
PROCEDURAL POSTURE	Pro se plaintiff moved to proceed in forma pauperis. The magistrate judge screened the complaint under 28 U.S.C. § 1915(e)(2), found that it failed to state a claim and did not establish personal jurisdiction or venue, granted leave to amend, and ordered plaintiff to file an amended complaint.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2), the court screened the complaint for frivolousness, failure to state a claim, and claims against immune defendants. In evaluating whether the complaint stated a claim, the court accepted well-pleaded factual allegations as true, construed them in plaintiff's favor, and applied the plausibility standard, while disregarding conclusory allegations, unreasonable inferences, and unwarranted factual deductions.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

pleadings

personal jurisdiction

venue

civil procedure

PRACTICE AREAS

civil procedure

commercial litigation

QUESTIONS PRESENTED

1. Whether plaintiff qualified to proceed in forma pauperis under 28 U.S.C. § 1915(a)(1).
2. Whether the complaint stated a plausible claim for relief under the applicable pleading standards and 28 U.S.C. § 1915(e)(2).
3. Whether the complaint established venue in the Eastern District of California.
4. Whether the complaint established general or specific personal jurisdiction over the defendants in California.
5. Whether plaintiff should receive leave to amend the deficient complaint.

HOLDINGS

1. Plaintiff's application to proceed in forma pauperis was granted because he submitted a declaration showing that he was unable to pay the costs of the proceeding.
2. The complaint failed to state a claim because it offered only conclusory allegations of an unspecified RICO conspiracy, did not identify the racketeering conduct or each defendant's role, and did not explain plaintiff's injury.
3. The complaint did not establish either venue or personal jurisdiction in the Eastern District of California.
4. Plaintiff was granted leave to file a first amended complaint within 30 days because the identified pleading, venue, and personal-jurisdiction deficiencies might be curable by additional factual allegations.

KEY QUOTATIONS

"A complaint alleging that six Defendants engaged in an unknown form of racketeering that injured Plaintiff for some unspecified amount, entitling Plaintiff to a billion dollars, is conclusory in every way imaginable."
(at 4)

"Personal jurisdiction, in turn, requires that a nonresident defendant 'have at least 'minimum contacts' with the relevant forum such that the exercise of jurisdiction 'does not offend traditional notions of fair play and substantial justice'.'" (at 5)

"Both the lack of specificity and the failure to establish either personal jurisdiction or venue render the pleadings insufficient." (at 6)

FACTUAL BACKGROUND

Plaintiff alleged that Re/Max owned the apartment in which he resided and asserted, without additional factual detail, that Re/Max and five individuals conspired to deprive him of due process and were liable under RICO.

Plaintiff sought \$1 billion in damages but did not identify the racketeering conduct, each defendant's role, the amount of his loss, the defendants' citizenship, or any substantial events occurring in the Eastern District of California.

PROCEDURAL HISTORY

Plaintiff filed a one-page complaint seeking \$1 billion in damages against six defendants and alleging a RICO-related conspiracy. He also filed an application to proceed in forma pauperis. After screening the complaint, the court granted IFP status but ordered plaintiff to amend within 30 days to cure deficiencies, warning that failure to amend could result in a dismissal recommendation or transfer to the Eastern District of New York.

DISPOSITION

other

CASES CITED

- Neitzke v. Williams, 490 U.S. 319, 325, 327 (1989)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Scheuer v. Rhodes, 416 U.S. 232, 236 (1974)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Western Mining Council v. Watt, 643 F.2d 618, 624 (9th Cir. 1981)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555-57, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Schwarzenegger v. Fred Martin Motor Co., 374 F.3d 797, 801-02 (9th Cir. 2004)
- Akhtar v. Mesa, 698 F.3d 1202, 1213 (9th Cir. 2012)
- McHenry v. Renne, 84 F.3d 1172, 1177-80 (9th Cir. 1996)
- Pacific Bell Tel. Co. v. Linkline Communications, Inc., 555 U.S. 438, 456 n.4 (2009)