

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Eric Ray Castro, Trustee of the Eric Ray Castro Trust v. Officer C. Ganot (SANCATT-6); San Bernardino Sheriff's Department; North County Buick GMC Cadillac; California Highway Patrol; and Does 1-50

Castro · No. 25cv1438 DMS (DEB) · Decided October 16, 2025

SUMMARY

The United States District Court for the Southern District of California grants Defendant My Escondido BCG LLC’s motion to dismiss claims brought by pro se plaintiff Eric Ray Castro. The court concludes that, although the alleged filing of a false police report could support an intentional infliction of emotional distress theory, the complaint does not allege sufficient facts to state a claim against the defendant. The dismissal is granted with leave to amend by October 31, 2025.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Dana M. Sabraw
JURISDICTION	United States District Court for the Southern District of California
DECIDED	October 16, 2025
DOCKET	25cv1438 DMS (DEB)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant My Escondido BCG LLC moved to dismiss the pro se complaint under Federal Rule of Civil Procedure 12(b)(6).
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true and determines whether the complaint contains sufficient factual matter to state a claim for relief that is plausible on its face. The court does not resolve factual disputes at the pleading stage.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Eric Ray Castro, Trustee of the Eric Ray Castro Trust v. Officer C. Ganot (SANCATT-6), San Bernardino Sheriff's Department, North

TOPICS

[motions to dismiss](#) [pleadings](#) [civil procedure](#) [intentional infliction of emotional distress](#) [section 1983](#)

PRACTICE AREAS

[civil procedure](#) [civil rights](#) [torts](#)

QUESTIONS PRESENTED

1. Whether the complaint stated a plausible claim for relief against My Escondido BCG LLC under the Rule 12(b)(6) pleading standard.
2. Whether Plaintiff's allegation that My Escondido BCG LLC filed a false police report plausibly stated an intentional infliction of emotional distress claim.
3. Whether Plaintiff should be granted leave to amend after dismissal for failure to state a claim.

HOLDINGS

1. The complaint failed to state a plausible claim for relief against My Escondido BCG LLC because it contained only one factual allegation concerning that defendant and did not clearly connect the defendant to the listed claims.
2. The allegation that My Escondido BCG LLC knowingly filed a false police report did not state an intentional infliction of emotional distress claim because Plaintiff alleged no facts supporting the required emotional-distress and causation elements.
3. Plaintiff was granted leave to amend the complaint to address the identified pleading deficiencies.

KEY QUOTATIONS

“To survive a motion to dismiss under this new standard, “a complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’”” (at 2)

“Knowingly filing a false police report may satisfy the “extreme and outrageous conduct” element of an intentional infliction of emotional distress claim.” (at 3)

FACTUAL BACKGROUND

Plaintiff alleged that his truck was repossessed and that he was subsequently arrested for larceny. He alleged that My Escondido BCG LLC falsely reported that he stole the truck despite receiving full payment. The complaint also described an allegedly warrantless, forcible entry into Plaintiff's father's home and seizure of firearms and trust-related documents, but it did not clearly identify which claims were asserted against which defendants.

PROCEDURAL HISTORY

Plaintiff filed claims arising from the repossession of his truck, his arrest, and an allegedly warrantless search. The Clerk entered default against Officer Ganot, and defaults against the San Bernardino County Sheriff's Department and California Highway Patrol were later set aside. My Escondido BCG LLC was the only defendant to respond and moved to dismiss. The court granted the motion as to that defendant and granted Plaintiff leave to amend.

DISPOSITION

dismissed

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007)
- Iqbal v. Hasty, 490 F.3d 143 (2d Cir. 2007)
- Watanabe v. Derr, 115 F.4th 1034, 1043 (9th Cir. 2024)
- Ross v. Williams, 950 F.3d 1160, 1173 n.19 (9th Cir. 2020) (en banc)
- Baird v. BlackRock Institutional Trust Co., N.A., 403 F. Supp. 3d 765, 777 (N.D. Cal. 2019)
- United States v. Heineman, 2024 WL 4149749, at *5 (N.D. Cal. Sept. 11, 2024)
- Massengale v. Kern County Municipal, No. 1:24-cv-00066-JLT-CDB, 2025 WL 1042396, at *3 (E.D. Cal. Mar. 18, 2025)
- Farrell v. Internal Revenue Service, No. CV-21-00697-PHX-DGC, 2021 WL 4748778, at *3 (D. Ariz. Oct. 12, 2021)
- Barsell v. Urban Outfitters, Inc., No. CV 09-02604 MMM (RZx), 2009 WL 1916495, at *5 (C.D. Cal. July 1, 2009)
- McCue v. South Fork Union Elementary School, No. 1:10-cv-00233-OWW-MSJS, 2010 WL 3958278, at *5 (E.D. Cal. Oct. 8, 2010)