

**UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA**

Daevon J. Taylor v. Los Angeles County Superior Court

Taylor v. Los Angeles County Superior Court · No. 2:25-cv-03147-TJH (DTB) · Decided January 8, 2026

OPINION

Daevon J. Taylor v. Los Angeles County Superior Court

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 CENTRAL DISTRICT OF CALIFORNIA

10

WESTERN DIVISION

11 DAEVON J. TAYLOR,) Case No. 2:25-cv-03147-TJH (DTB)) 12) 13 Petitioner,) ORDER
TO SHOW CAUSE)

) REGARDING DISMISSAL

14 v.)) 15)

LOS ANGELES COUNTY)

16 SUPERIOR COURT,)

) 17) Respondent.) 18 19 I.

20 PROCEEDINGS

21 On April 6, 2025, petitioner Daevon J. Taylor (“Petitioner”), proceeding pro 22 se, filed a
Petition for Writ of Habeas Corpus by a Person in State Custody pursuant 23 to 28 U.S.C. § 2241
 (“Petition” or “Pet.”). (Docket No. 1). On April 28, 2025, 24 Petitioner filed a Request to Proceed
Without Prepayment of Filing Fees. (Docket 25 No. 4). On June 11, 2025, Petitioner filed the
following documents: “Emergency 26 Motion for Temporary Restraining Order, Federal
Oversight, and Order to Show 27 Cause re: Preliminary Injunction” (Docket No. 5); “Emergency
Request for 28 1 Immediate Review of Habeas Corpus Petition and Constitutional Relief” (Docket
2 No. 6); and Notice of Submission of Exhibits and Sworn Declaration Into Court

3 Record” (Docket No. 8). 4 On June 12, 2025, the District Judge issued an Order regarding
Petitioner’s 5 Request to Proceed Without Prepayment of Filing Fees which was incomplete. 6
(Docket No. 7). Petitioner was to refile a complete request within 30 days of the 7 Court’s Order.
On August 8, 2025, as Petitioner failed to comply with the Court’s 8 Order, the District Judge
dismissed this action without prejudice. (Docket No. 10). 9 On October 7, 2025, Petitioner filed a
Motion to Vacate the Dismissal along with a 10 Support Declaration and a Notice of Errata
Regarding Case Number. (Docket Nos. 11 11-13). On October 29, 2025, the Court granted

Petitioner's Motion to Vacate and 12 reopened this action ordering the Clerk to file Petitioner's CV-60 which was attached 13 to his Motion to Vacate. (Docket No. 14). On November 17, 2025, the Court granted 14 Petitioner's Request to Proceed in Forma Pauperis. (Docket No. 16). 15 On November 16, 2025, Petitioner filed the following documents: 16 "Emergency Motion for Order to Show Cause and Order Requiring Response Under 17 28 U.S.C. §§ 2241, 2243" ("Motion") (Docket No. 17); "Table of Exhibit's In 18 support of Emergency Motion For Order To Show Cause And Order Requiring 19 Response Under 28 U.S.C. §§ 2241, 2243" (Docket No. 18); and "Declaration of 20 Daevon J Taylor in Support of Emergency Motion For Order To Show Cause And 21 Order Requiring Response Under 28 U.S.C. §§ 2241, 2243" ("Taylor Decl.") 22 23 (Docket No. 19). 24 In the Petition, as well as by the Motion, Petitioner seeks this Court to 25 intervene in his ongoing state criminal proceedings in Los Angeles County Superior 26 Court, Case No. 24 JCF 03632-01. (Pet. at 1-2; Motion at 2-3). Specifically, 27 Petitioner contends that his arrest and the accompanying search warrants relating to 28 his ongoing state criminal proceedings were based on facially defective warrants, 1 and that the proceedings are also based on a restraining order which had previously 2 been vacated. (Pet. at 2; Motion at 2-3). Plaintiff also alleges that he was improperly 3 charged with the offense of "felon in possession," and that he has repeatedly been 4 denied discovery in his state criminal proceedings. (Motion at 2-3). Petitioner raises 5 multiple constitutional claims in the Petition, and seeks, inter alia, to have his current 6 state court arrest and prosecution be declared unconstitutional and to have his 7 pending state court charges dismissed. (Pet. at 4). 8 II. 9

LEGAL AUTHORITY

10 A federal court is required to screen all habeas petitions upon filing and must 11 summarily dismiss a petition "[i]f it plainly appears from the petition and any 12 attached exhibits that the petitioner is not entitled to relief in the district court." Rule 13 4, Rules Governing Section 2254 Cases in the United States District Courts ("Habeas 14 Rule" or "Habeas Rules"). Habeas petitions brought pursuant to 28 U.S.C. § 2241, 15 such as the instant Petition, are subject to Habeas Rule 4. See Habeas Rule 1(b) (a 16 district court may "apply any or all of these rules" to any habeas petition); see also 17 *Bostic v. Carlson*, 884 F.2d 1267, 1269-70 (9th Cir. 1989) (affirming district court's 18 dismissal of a Section 2241 petition under Habeas Rules 1(b) and (4)). 19 Thus, the Court is required to screen the instant Petition prior to ordering 20 service to determine whether it "plainly" appears Petitioner is entitled to relief. The 21 Court has therefore screened the Petition pursuant to Habeas Rule 4 and, as set forth 22 23 below, has determined that Petitioner is not entitled to habeas relief. However, 24 before dismissing the Petition, the Court will first provide Petitioner the opportunity 25 to be heard following this notice of the grounds for dismissal. See *Race v. 26 Salmonsens*, 131 F.4th 792, 794 (9th Cir. 2025) (reversing sua sponte order of 27 dismissal pursuant to Habeas Rule 4 where district court provided no notice to 28 petitioner prior to order of dismissal). 1 Accordingly, the Court hereby issues this Order to Show Cause why the 2 Petition should not be dismissed and specifically orders Petitioner to respond to 3

the Order to Show Cause in writing by no later than February 6, 2026. The Court 4 further directs Petitioner to review the information that follows, which provides 5 additional explanation as to why the Petition appears to be subject to dismissal and 6 may assist Petitioner in determining how to respond. 7 III. 8

ANALYSIS

9 The Court finds that the Petition is subject to dismissal on multiple grounds, 10 all of which arise from the fact that Petitioner is seeking to have this federal court 11 12 intervene in his pending state court criminal proceeding. 13 As an initial matter, this Court is prohibited from exercising any appellate 14 jurisdiction over rulings or decisions made in Petitioner's state court criminal 15 proceedings. Pursuant to the Rooker-Feldman Doctrine, a federal district court is 16 barred from exercising appellate jurisdiction over state court decisions. See D.C. Ct. 17 App. v. Feldman, 460 U.S. 462, 482-86 (1983); *Rooker v. Fidelity Trust*, 263 U.S. 18 413, 415-16 (1923); *Bennet v. Yoshina*, 140 F.3d 1218, 1223 (9th Cir. 1998) (as 19 amended). Review of state court decisions may be conducted only by the United 20 States Supreme Court. See Feldman, 460 U.S. at 486; see also 28 U.S.C. §1257. 21 The Rooker-Feldman Doctrine applies even when the challenge to a state 22 court proceeding is based on federal constitutional issues, such as those raised in the 23 Petition. See *Dubinka v. Judges of Sup. Ct.*, 23 F.3d 218, 221 (9th Cir. 1994) 24 (citations omitted). The relief sought in the Petition – for this Court to declare 25 Petitioner's arrest and pending prosecution unlawful, and to dismiss all charges 26 based on an invalid warrant – amounts to an appeal of the decisions and actions of 27 the court and prosecutor in Petitioner's on-going state court proceedings and is 28 1 therefore barred by the Rooker-Feldman Doctrine. Habeas relief is therefore 2 precluded. 3 This Court is also prohibited from intervening in a pending state court 4 proceeding by the Supreme Court's decision in *Younger v. Harris*, 401 U.S. 37 5 (1971). "Younger . . . reaffirmed the long-standing principle that federal courts 6 sitting in equity cannot, absent exceptional circumstances, enjoin pending state 7 criminal proceedings." *ReadyLink Healthcare, Inc. v. State Comp. Ins. Fund*, 754 8 F.3d 754, 758 (9th Cir. 2014). Abstention "is appropriate when: (1) [T]here is an 9 ongoing state judicial proceeding; (2) the proceeding implicates important state 10 interests; (3) there is an adequate opportunity in the state proceedings to raise 11 constitutional challenges; and (4) the requested relief seeks to enjoin or has the 12 practical effect of enjoining the ongoing state judicial proceeding." *Arevalo v. 13 Hennessy*, 882 F.3d 763, 765 (9th Cir. 2018) (cleaned up). Exceptions to *Younger* 14 abstention arise if bad faith, harassment, or some other extraordinary circumstances 15 in the state proceedings would make abstention inappropriate. See *Middlesex Cnty. 16 Ethics Comm. v. Garden State Bar Ass'n*, 457 U.S. 423, 437 (1982). All of the 17 *Younger* factors are present in Petitioner's case, as there is an ongoing state judicial 18 proceeding - Petitioner has criminal charges pending against him in the Los Angeles 19 County Superior Court criminal proceedings. (Pet. at 2-3). This proceeding 20 implicates California's important interest in preserving the integrity of its criminal 21 justice proceedings. See *Kelly v. Robinson*, 479 U.S. 36, 49 (1986)

(“[T]he States’ 22 23 interest in administering their criminal justice systems free from federal interference 24 is one of the most powerful of the considerations that should influence a court 25 considering equitable types of relief.”). Petitioner has not alleged that he will be 26 deprived of an adequate opportunity to raise his constitutional claims at trial or on 27 appeal. In addition, while Petitioner does not seek to enjoin the criminal proceedings 28 directly, the relief sought in the Petition (and the Motion) would substantially 1 interfere with the state-court proceedings and would amount to enjoining the 2 proceeding. Finally, the Court cannot infer from the Petition or Motion any bad 3 faith, harassment, or extraordinary circumstances that would make abstention 4 inappropriate. Accordingly, Younger requires the Court to abstain from intervening 5 in Petitioner’s state criminal proceedings through the requested habeas relief. 6 Finally, it appears habeas relief is unwarranted in this matter on the basis that 7 Petitioner is not currently in custody. As set forth above, a state prisoner may bring 8 a federal habeas petition “only on the ground that he is in custody in violation of the 9 Constitution or laws or treaties of the United States.” 28 U.S.C. § 2254(a). “[T]he 10 essence of habeas corpus is an attack by a person in state custody upon the legality 11 of that custody, and . . . the traditional function of the writ is to secure release from 12 illegal custody.” Preiser v. Rodriguez, 411 U.S. 475, 484 (1973); Burnett v. 13 Lampert, 432 F.3d 996, 999 (9th Cir. 2005). This Court lacks jurisdiction in this 14 matter because Petitioner is not claiming that he is in custody in violation of the 15 Constitution or other federal law. See Baily v. Hill, 599 F.3d 976, 979-82 (9th Cir. 16 2010) (§ 2254’s jurisdictional requirement includes that the habeas challenge be to 17 the lawfulness of petitioner’s custody); see also Maleng v. Cook, 490 U.S. 488, 490 18

(1989) (“in custody” requirement is jurisdictional). Petitioner alleges in the Petition

19 that he has been released on bond pending his on-going state criminal proceedings, 20 and that he is therefore not in custody. (See Petition at 2; Taylor Decl., ¶ 1). Thus, 21 Petitioner is not challenging the legality of his custody, since he is not in custody, 22 23 and habeas relief is therefore unwarranted. 24 Accordingly, for the reasons set forth above, the Court finds that it appears 25 from the face of the Petition that Petitioner is not entitled to habeas relief. However, 26 as noted previously, before recommending the dismissal of the Petition, the Court 27 will afford Petitioner the opportunity to be heard. Accordingly, the Court provides 28 as follows: 1
Petitioner’s Options 2 If Petitioner contends that he is, in fact, raising cognizable habeas challenges, 3 ||he must clearly explain this in a written response to this Order to Show Cause. 4 ||
Petitioner must file with the court a written response to the Order to Show Cause on > || or before February 6, 2026. In his response to the Order to Show Cause, Petitioner 6 || may set forth any reasons he wishes to argue against the dismissal of the action. 7 Alternatively, Petitioner may request a voluntary dismissal of this action 8 || without prejudice pursuant to Federal Rule of Civil Procedure 41(a). A Notice of ? Dismissal form is attached for Petitioner’s convenience. The Court advises 10 Petitioner, however, that if Petitioner should later attempt to again raise any dismissed claims in a subsequent habeas petition, those claims may be time-barred under the statute of

limitations in 28 U.S.C. § 2244(d)(1) (“A 1-year period of limitation shall apply to an application for a writ of habeas corpus by a person in custody pursuant to the judgment of a State court.”). Such dismissal request must also be filed on or before February 6, 2026. The Court warns Petitioner that failure to timely file and serve a response as directed in this Order will result in a recommendation that this action be dismissed for lack of jurisdiction, for failure to prosecute, and/or for failure to obey Court orders. 99 || Dated: January 8, 2026 nu / bh

DAVID T. BRISTOW

23 United States Magistrate Judge 24 25 26 27 28