

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Kimberly Y. Mims, et al. v. California Legislative Black Caucus, et al.

Mims v. California Legislative Black Caucus · No. 2:25-cv-02363-TLN-CSK · Decided December 9, 2025

SUMMARY

The United States District Court for the Eastern District of California grants Kimberly Y. Mims and Darlene Crumedy leave to proceed in forma pauperis. The magistrate judge recommends dismissal without leave to amend, concluding that the federal claims are barred by legislative immunity, subject-matter jurisdiction is lacking, and supplemental jurisdiction over the state-law claims should be declined. The findings and recommendations were issued on December 9, 2025, and permit objections within 14 days.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Chi Soo Kim
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 9, 2025
DOCKET	2:25-cv-02363-TLN-CSK
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se plaintiffs sought leave to proceed in forma pauperis. The magistrate judge granted the IFP requests, screened the complaint under 28 U.S.C. § 1915(e), and issued findings and recommendations that the complaint be dismissed without leave to amend.
STANDARD OF REVIEW	Mandatory screening under 28 U.S.C. § 1915(e)(2)(B); allegations are accepted as true unless clearly baseless or fanciful, construed in the light most favorable to plaintiffs, and pro se pleadings are liberally construed. Conclusory allegations, unreasonable inferences, unwarranted factual deductions, and formulaic recitations of claim elements are not accepted as sufficient.
PRECEDENTIAL VALUE	unpublished

TOPICS

- subject matter jurisdiction
- section 1983
- class actions
- civil rights
- pleadings

PRACTICE AREAS

civil procedure

civil rights

constitutional law

QUESTIONS PRESENTED

1. Whether pro se plaintiffs may represent other individuals in a putative class action.
2. Whether the federal constitutional claims against the legislative defendants and Governor Newsom were barred by absolute legislative immunity.
3. Whether the complaint established federal-question or diversity subject matter jurisdiction.
4. Whether the court should exercise supplemental jurisdiction over the state-law claims after determining that the federal claims could not proceed.
5. Whether plaintiffs should be granted leave to amend.

HOLDINGS

1. Pro se plaintiffs may not represent other individuals in a class action; allegations referring to individuals who are not named plaintiffs will be disregarded.
2. The federal constitutional claims under 42 U.S.C. § 1983 were barred by absolute legislative immunity because they challenged legislative acts and policymaking activities within the sphere of legitimate legislative activity.
3. The complaint did not establish subject matter jurisdiction because the federal claims were barred by legislative immunity and the complaint did not establish complete diversity of citizenship.
4. The court should decline supplemental jurisdiction over the state-law claims because plaintiffs failed to state a claim under federal law.
5. Leave to amend should be denied because the complaint's deficiencies could not be cured by amendment.

KEY QUOTATIONS

“Under the doctrine of legislative immunity, members of Congress and state legislators are entitled to absolute immunity from civil damages for their performance of lawmaking functions.” (at 3)

“Federal courts are courts of limited jurisdiction and may hear only those cases authorized by federal law.” (at 4)

“Subject-matter jurisdiction can never be waived or forfeited, and courts are obligated to consider sua sponte subject matter jurisdiction even when not raised by the parties.” (at 5)

FACTUAL BACKGROUND

Plaintiffs alleged that they were denied entry to the California Assembly floor gallery during legislative proceedings concerning reparations legislation because seating was limited and that the denial was intended to suppress public presence. They also alleged that defendants obstructed or delayed reparations legislation, imposed discriminatory burdens through other bills, and misrepresented whether proposed legislation would be

reintroduced. Plaintiffs asserted federal constitutional claims under 42 U.S.C. § 1983, state-law claims, and sought to proceed on behalf of a class.

PROCEDURAL HISTORY

Kimberly Y. Mims and Darlene Crumedy filed a civil action and applications to proceed in forma pauperis. The court granted the IFP applications after finding the required financial showing. On screening, the magistrate judge concluded that the federal claims were barred by legislative immunity, that subject matter jurisdiction was not established, and that supplemental jurisdiction over the state claims should be declined. The court recommended dismissal without leave to amend and closure of the case, subject to objections under 28 U.S.C. § 636(b)(1).

DISPOSITION

dismissed

CASES CITED

- *Lopez v. Smith*, 203 F.3d 1122, 1126-27, 1130-31 (9th Cir. 2000) (en banc)
- *Neitzke v. Williams*, 490 U.S. 319, 325, 327 (1989)
- *Von Saher v. Norton Simon Museum of Art at Pasadena*, 592 F.3d 954, 960 (9th Cir. 2010), cert. denied, 564 U.S. 1037 (2011)
- *Hebbe v. Pliler*, 627 F.3d 338, 342 & n.7 (9th Cir. 2010)
- *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)
- *Bogan v. Scott-Harris*, 523 U.S. 44, 49, 54-55 (1998)
- *Jones v. Allison*, 9 F.4th 1136, 1139-40 (9th Cir. 2021)
- *Lund v. Cowan*, 5 F.4th 964, 972 (9th Cir. 2021)
- *Tenney v. Brandhove*, 341 U.S. 367, 376 (1951)
- *Gravel v. United States*, 408 U.S. 606, 625 (1972)
- *Kokkonen v. Guardian Life Ins. Co.*, 511 U.S. 375, 377 (1994)
- *Casey v. Lewis*, 4 F.3d 1516, 1519 (9th Cir. 1993)
- *Bender v. Williamsport Area Sch. Dist.*, 475 U.S. 534, 546 (1986)
- *Morongo Band of Mission Indians v. Cal. State Bd. of Equalization*, 858 F.2d 1376, 1380 (9th Cir. 1988)
- *Gonzalez v. Thaler*, 565 U.S. 134, 141 (2012)
- *Morris v. Princess Cruises, Inc.*, 236 F.3d 1061, 1067 (9th Cir. 2001)
- *Campos v. Fresno Deputy Sheriff's Ass'n*, 535 F. Supp. 3d 913, 930 (E.D. Cal. 2021)
- *Religious Tech. Ctr. v. Wollersheim*, 971 F.2d 364, 367-68 (9th Cir. 1992)
- *Cato v. United States*, 70 F.3d 1103, 1105-06 (9th Cir. 1995)
- *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998)

- *Martinez v. Yist*, 951 F.2d 1153, 1156-57 (9th Cir. 1991)

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