

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Whitmann v. Caraway

Whitmann · No. 2:25-CV-1426-TLN-DMC · Decided July 7, 2025

SUMMARY

The United States District Court for the Eastern District of California screened Plaintiff Marvin Whittman’s pro se civil-rights complaint under 28 U.S.C. § 1915A and Federal Rule of Civil Procedure 8. The court found that the complaint failed to provide sufficient facts or identify a cognizable claim, dismissed it with leave to amend, and ordered Plaintiff to file a first amended complaint within 30 days of service.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Dennis M. Cota
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 7, 2025
DOCKET	2:25-CV-1426-TLN-DMC
DISPOSITION	dismissed
PROCEDURAL POSTURE	The court screened Plaintiff's pro se complaint under 28 U.S.C. § 1915A and dismissed it with leave to amend.
STANDARD OF REVIEW	Mandatory statutory screening under 28 U.S.C. § 1915A; the complaint must be dismissed if it is frivolous or malicious, fails to state a claim, or seeks monetary relief from an immune defendant.
PRECEDENTIAL VALUE	Unpublished district court order; limited precedential value.
PARTIES	Marvin Whitmann v. Corie J. Caraway, Officer Cooper, Inspector Love, Administrator Wolfo

TOPICS

- pleadings
- civil procedure
- civil rights

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the complaint satisfied Federal Rule of Civil Procedure 8(a)(2)'s requirement of a short and plain statement showing entitlement to relief.
2. Whether the complaint stated a claim sufficient to survive screening under 28 U.S.C. § 1915A.
3. Whether Plaintiff should receive leave to amend before dismissal of the action.

HOLDINGS

1. The complaint failed to satisfy Rule 8(a)(2) because it did not identify the claim or provide facts showing the basis for relief, and its allegations were effectively absent rather than short, plain, and sufficient to provide fair notice.
2. The complaint failed to state a claim upon which relief could be granted and was subject to dismissal under the court's mandatory screening obligation.
3. Because the pleading deficiencies might be cured by amendment, the court dismissed the original complaint with leave to amend and allowed 30 days to file a first amended complaint.

FACTUAL BACKGROUND

Plaintiff filed a pro se federal civil action naming Judge Corie J. Caraway, Officer Cooper, Inspector Love, and Administrator Wolfo. The form complaint identified federal-question jurisdiction and sought \$48 million, but supplied no facts explaining the claim, the alleged constitutional deprivation, or how any defendant was involved; the attachments consisted of a vehicle photograph, a Butte County Superior Court document concerning destruction of a case file, and a Chico parking violation document.

PROCEDURAL HISTORY

Plaintiff filed the original complaint on May 21, 2025, naming four defendants and seeking \$48 million. The complaint contained no factual allegations explaining the asserted claim or the defendants' involvement. After screening, the court dismissed the complaint for failure to state a claim and granted 30 days to file an amended complaint.

DISPOSITION

dismissed

CASES CITED

- *Olivas v. Nevada ex rel. Dep't of Corr.*, 856 F.3d 1281, 1282 (9th Cir. 2017)
- *McHenry v. Renne*, 84 F.3d 1172, 1177 (9th Cir. 1996)
- *Kimes v. Stone*, 84 F.3d 1121, 1129 (9th Cir. 1996)
- *Lopez v. Smith*, 203 F.3d 1122, 1126, 1131 (9th Cir. 2000) (en banc)

- *Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir. 1992)
- *King v. Atiyeh*, 814 F.2d 565, 567 (9th Cir. 1987)
- *Ellis v. Cassidy*, 625 F.2d 227 (9th Cir. 1980)
- *May v. Enomoto*, 633 F.2d 164, 167 (9th Cir. 1980)
- *Johnson v. Duffy*, 588 F.2d 740, 743 (9th Cir. 1978)
- *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992)
- *Neviyel v. North Coast Life Ins. Co.*, 651 F.2d 671, 673 (9th Cir. 1981)

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