

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Afifi v. McLaughlin & Sanchez LLP, et al.

Afifi · No. 4:25-cv-07984 · Decided October 7, 2025

SUMMARY

The United States District Court for the Northern District of California ordered Sabrina Afifi to show cause why her complaint against McLaughlin & Sanchez LLP and related defendants should not be dismissed. The court found that the complaint did not appear to establish federal-question or diversity jurisdiction and potentially failed to state a claim under 28 U.S.C. § 1915(e)(2)(B). The court allowed Plaintiff to file an amended complaint or response by October 21, 2025.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Joseph C. Spero
JURISDICTION	United States District Court for the Northern District of California
DECIDED	October 7, 2025
DOCKET	4:25-cv-07984
DISPOSITION	other
PROCEDURAL POSTURE	The court screened a pro se plaintiff's complaint after granting leave to proceed in forma pauperis and issued an order to show cause why the action should not be dismissed for lack of federal subject-matter jurisdiction and failure to plausibly state a claim.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2)(B), an in forma pauperis complaint must be dismissed if it is frivolous or malicious, fails to state a claim, or seeks monetary relief from an immune defendant. Federal courts must also dismiss when no basis for federal subject-matter jurisdiction appears from the allegations. Pro se pleadings are construed liberally, and leave to amend must generally be granted unless the deficiencies cannot be cured by amendment.
PRECEDENTIAL VALUE	unpublished trial-court order; limited precedential value
PARTIES	Sabrina Afifi v. McLaughlin & Sanchez LLP, Darryl Yorkey, Michael McLaughlin, Andre Sanchez

TOPICS

subject matter jurisdiction

pleadings

civil procedure

PRACTICE AREAS

civil procedure

federal jurisdiction

pro se litigation

QUESTIONS PRESENTED

1. Whether the complaint established federal-question or diversity subject-matter jurisdiction.
2. Whether the complaint was subject to screening and possible dismissal under 28 U.S.C. § 1915(e)(2)(B).
3. Whether a pro se plaintiff should be given an opportunity to amend before dismissal where the jurisdictional and pleading deficiencies may potentially be cured.

HOLDINGS

1. The complaint did not establish federal-question jurisdiction because it alleged no federal claims, and it did not establish diversity jurisdiction because it failed to allege facts showing complete diversity and did not plausibly show that more than \$75,000 was in controversy.
2. A complaint filed by a plaintiff proceeding in forma pauperis must be screened under 28 U.S.C. § 1915(e)(2)(B), including for failure to state a claim and lack of federal jurisdiction.
3. The court afforded Afifi an opportunity to amend the complaint or respond to the jurisdictional deficiencies before any recommendation of dismissal.

KEY QUOTATIONS

“Because the complaint does not appear to allege federal jurisdiction or plausibly state a claim, Plaintiff is ORDERED TO SHOW CAUSE why the complaint should not be dismissed.” (Opinion at 1)

“For the reasons discussed above, Plaintiff is ORDERED TO SHOW CAUSE why this case should not be dismissed for lack of federal jurisdiction.” (Opinion at 3)

FACTUAL BACKGROUND

Sabrina Afifi sued McLaughlin & Sanchez LLP, Darryl Yorkey, Michael McLaughlin, and Andre Sanchez based on alleged misconduct in an unlawful detainer action brought against her by Tina Chiang. Afifi alleged procedural manipulation, false representations, interference with access to justice, negligent supervision, harassment and procedural abuse, professional-conduct violations, sanctionable conduct, intentional infliction of emotional distress, and abuse of process. She did not identify a federal claim or allege facts showing complete diversity of citizenship and the required amount in controversy.

PROCEDURAL HISTORY

Afifi filed a complaint against attorneys and a law firm associated with an unlawful detainer action. The court granted her application to proceed in forma pauperis, reviewed the complaint under 28 U.S.C. § 1915(e)(2)(B), and found that the complaint did not allege a federal claim or facts establishing diversity jurisdiction. Rather

than dismissing immediately, the court ordered Afifi to file an amended complaint or response by October 21, 2025.

DISPOSITION

other

CASES CITED

- Marks v. Solcum, 98 F.3d 494, 495 (9th Cir. 1996)
- Cato v. United States, 70 F.3d 1103, 1106 (9th Cir. 1995)
- RM White LLC v. Ramirez, No. 24-CV-00485-SVK, 2024 WL 1051000, at *2 (N.D. Cal. Feb. 14, 2024)
- Hebbe v. Pliler, 627 F.3d 338, 342 (9th Cir. 2010)
- Noll v. Carlson, 809 F.2d 1446, 1448 (9th Cir. 1987)
- Lopez v. Smith, 203 F.3d 1122 (9th Cir. 2000) (en banc)
- Ferdik v. Bonzelet, 963 F.2d 1258, 1261 (9th Cir. 1992)
- Karim-Panahi v. L.A. Police Dep't, 839 F.2d 621, 624 (9th Cir. 1988)
- Chiang v. Afifi, No. 23-cv-6235-JD
- Afifi, No. 24-cv-1342-JD
- Chiang v. Afifi, No. 25-cv-2074-CRB