

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Ghafoori v. Tuolumne County Public Defender's Office

No. 2:25-cv-0477-DJC-SCR · No. No. 2:25-cv-0477-DJC-SCR · Decided August 5, 2025

SUMMARY

The document is an order granting Radni Ghafoori’s application to proceed in forma pauperis and findings and recommendations addressing screening of the complaint under 28 U.S.C. § 1915(e)(2). The magistrate judge concludes that claims under 42 U.S.C. § 1983 against the Tuolumne County Public Defender’s Office fail because public defenders do not act under color of state law when performing traditional defense functions. The document recommends dismissal without leave to amend and advises that challenges to the conviction must generally be pursued through habeas corpus proceedings.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	August 5, 2025
DOCKET	No. 2:25-cv-0477-DJC-SCR
DISPOSITION	other
PROCEDURAL POSTURE	Pro se plaintiff moved to proceed in forma pauperis and filed a civil-rights complaint under 42 U.S.C. § 1983 against the Tuolumne County Public Defender's Office. The magistrate judge granted in forma pauperis status, screened the complaint under 28 U.S.C. § 1915(e)(2), and recommended dismissal without leave to amend.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2), the court must dismiss an in forma pauperis action that is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant. In evaluating whether a complaint states a claim, the court accepts factual allegations as true and construes them in the plaintiff's favor, but need not accept conclusory allegations, unreasonable inferences, or unwarranted deductions. Pro se pleadings are construed liberally.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

section 1983

federal habeas corpus

post-conviction relief

pleadings

civil procedure

PRACTICE AREAS

civil rights

federal civil procedure

criminal defense

habeas corpus

QUESTIONS PRESENTED

1. Whether plaintiff's complaint stated a claim under 42 U.S.C. § 1983 based on alleged ineffective assistance by appointed public defenders.
2. Whether a public defender performing traditional defense functions acts under color of state law for purposes of § 1983.
3. Whether plaintiff's challenge to his criminal conviction or appellate review had to be brought through a habeas corpus petition under 28 U.S.C. § 2254.
4. Whether amendment would be futile and the complaint should be dismissed without leave to amend.
5. Whether plaintiff qualified to proceed in forma pauperis.

HOLDINGS

1. The complaint failed to state a § 1983 claim because a public defender does not act under color of state law when performing traditional functions as counsel to a criminal defendant.
2. To the extent plaintiff sought to attack his conviction in federal court, he was required to proceed through a habeas corpus petition under 28 U.S.C. § 2254 rather than through this § 1983 action.
3. The complaint should be dismissed without leave to amend because amendment would be futile where plaintiff sued a public defender's office for conduct that was not state action.
4. Plaintiff demonstrated that he lacked the resources to pay the filing fee, so the application to proceed in forma pauperis should be granted.

KEY QUOTATIONS

“Even assuming for the sake of argument that Plaintiff’s public defender failed to satisfy the Sixth Amendment, there would be no state action supporting a cause of action under § 1983.” (at 4)

“To the extent Plaintiff seeks to attack his conviction in federal court, he may do so only through a habeas corpus petition pursuant to 28 U.S.C. § 2254.” (at 4)

FACTUAL BACKGROUND

Radni Ghafoori alleged that attorneys assigned by the Tuolumne County Public Defender's Office inadequately represented him in a DUI case. He asserted that the attorneys failed to challenge the traffic stop, obtain GPS logs and other evidence, file substantive motions, provide competent plea advice, and file an appeal when requested. He brought claims under 42 U.S.C. § 1983 and California law and sought damages, declaratory relief, and injunctive relief.

PROCEDURAL HISTORY

Plaintiff alleged that appointed public defenders provided ineffective assistance during a DUI prosecution, including failure to investigate, file motions, obtain evidence, and pursue an appeal. The magistrate judge concluded that the public defender's office was not acting under color of state law when performing traditional defense functions and that any challenge to plaintiff's conviction must proceed through habeas corpus. The court granted the in forma pauperis application and issued findings and recommendations that the claims be dismissed without leave to amend, subject to objections and final consideration by the assigned district judge.

DISPOSITION

other

CASES CITED

- Neitzke v. Williams, 490 U.S. 319, 325 (1989)
- Neitzke v. Williams, 490 U.S. 319, 327 (1989)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Scheuer v. Rhodes, 416 U.S. 232, 236 (1974)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Western Mining Council v. Watt, 643 F.2d 618, 624 (9th Cir. 1981)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555-57 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Akhtar v. Mesa, 698 F.3d 1202, 1213 (9th Cir. 2012)
- West v. Atkins, 487 U.S. 42, 48 (1988)
- Polk County v. Dodson, 454 U.S. 312, 325 (1981)
- Szijarto v. Legeman, 466 F.2d 864, 864 (9th Cir. 1972)
- Akhtar v. Mesa, 698 F.3d 1202, 1212 (9th Cir. 2012)
- Torres v. Becton, 2021 WL 1238310, at *1-2 (N.D. Cal. 2021)
- Martinez v. Yist, 951 F.2d 1153 (9th Cir. 1991)