

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Daniel Keith Wilson v. M. De Arton, et al.

Wilson v. De Arton · No. 2:25-cv-2984-DC-JDP (PS) · Decided December 19, 2025

SUMMARY

The United States District Court for the Eastern District of California dismisses Daniel Keith Wilson’s pro se complaint for failure to provide a short and plain statement of intelligible claims, while granting leave to amend. The court grants in forma pauperis status and recommends denial of the plaintiff’s motions for temporary restraining orders and related relief.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 19, 2025
DOCKET	2:25-cv-2984-DC-JDP (PS)
DISPOSITION	other
PROCEDURAL POSTURE	Pro se plaintiff filed an in forma pauperis civil-rights action. On mandatory screening, the magistrate judge dismissed the complaint with leave to amend and recommended denial of plaintiff's motions for temporary restraining orders and related relief.
STANDARD OF REVIEW	Mandatory screening under 28 U.S.C. § 1915(e)(2); the complaint must satisfy Federal Rule of Civil Procedure 8(a)(2) and allege facts sufficient to state a plausible claim for relief.
PRECEDENTIAL VALUE	Unknown; district court order and findings and recommendations, with no reported citation.
PARTIES	Daniel Keith Wilson v. M. De Arton, et al.

TOPICS

- pleadings
- civil procedure
- injunctions
- motions to dismiss
- civil rights

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the complaint satisfied the mandatory screening requirements and the short-and-plain pleading requirement of Federal Rule of Civil Procedure 8(a)(2).
2. Whether the complaint should be dismissed with leave to amend.
3. Whether plaintiff's motions for temporary restraining orders and related relief should be denied for failure to show a likelihood of success on the merits.
4. Whether plaintiff should be granted leave to proceed in forma pauperis.

HOLDINGS

1. The complaint did not satisfy Federal Rule of Civil Procedure 8(a)(2) because it failed to provide a short and plain statement of intelligible claims showing that plaintiff was entitled to relief; it was therefore subject to dismissal on screening.
2. The complaint was dismissed with leave to amend, and any amended complaint had to be complete in itself, titled "First Amended Complaint," and filed within thirty days.
3. Plaintiff's motions for temporary restraining orders and related relief were recommended for denial because he had not shown a likelihood of success on the merits.
4. Plaintiff's application to proceed in forma pauperis was granted.

KEY QUOTATIONS

"The complaint, which runs to nearly one-hundred and thirty pages, lacks any intelligible narrative throughline, and leaves the reader with no sense of what or even how many claims are at issue." (1)

"Nevertheless, I will give plaintiff one chance to amend." (2)

"Any amended complaint will entirely supersede the initial one and must be complete in itself." (2)

"A plaintiff seeking a preliminary injunction must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest." (9-15)

FACTUAL BACKGROUND

Wilson sued numerous state officials, agencies, and health-care providers, alleging constitutional violations, malicious prosecution, and violations of whistleblower-protection law. His complaint was nearly 130 pages long, identified an indeterminate number of defendants, and lacked an intelligible narrative or clear identification of the claims. It also contained materials and allegations the court characterized as fanciful, including a purported writ of quo warranto and allegations concerning undisclosed "eboli" in the water supply.

PROCEDURAL HISTORY

Plaintiff filed a nearly 130-page complaint against a large and indeterminate number of state officials, agencies, and health-care providers, along with an application to proceed in forma pauperis and several motions for temporary restraining orders and other relief. The magistrate judge granted in forma pauperis status, dismissed the complaint with leave to amend within thirty days, and recommended that the motions for temporary restraining orders and miscellaneous relief be denied. The findings and recommendations were submitted to the assigned district judge under 28 U.S.C. § 636(b)(1), subject to objections.

DISPOSITION

other

CASES CITED

- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-679 (2009)
- Kobold v. Good Samaritan Reg’l Med. Ctr., 832 F.3d 1024, 1038 (9th Cir. 2016)
- Nagrampa v. MailCoups, Inc., 469 F.3d 1257, 1264 n.2 (9th Cir. 2006) (en banc)
- Haines v. Kerner, 404 U.S. 519, 520 (1972) (per curiam)
- Hayes v. Idaho Corr. Ctr., 849 F.3d 1204, 1208 (9th Cir. 2017)
- Bruns v. Nat’l Credit Union Admin., 122 F.3d 1251, 1257 (9th Cir. 1997)
- Ivey v. Bd. of Regents, 673 F.2d 266, 268 (9th Cir. 1982)
- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20 (2008)
- Dumas v. Gommerman, 865 F.2d 1093, 1095 (9th Cir. 1989)
- Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998)
- Martinez v. Yist, 951 F.2d 1153 (9th Cir. 1991)

OPINION

Daniel Keith Wilson v. M. De Arton, et al.

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 DANIEL KEITH WILSON, Case No. 2:25-cv-2984-DC-JDP (PS) 12 Plaintiff,

13 v. ORDER; FINDINGS AND

RECOMMENDATIONS

14 M. DE ARTON, et al. 15 Defendants. 16 17 Plaintiff Daniel Keith Wilson brings this action against a large but indeterminate number 18 of state officials, agencies, and health care providers. The complaint, which runs to nearly one- 19 hundred and thirty pages, lacks any intelligible narrative throughline, and leaves the reader with 20 no sense of what or even how many claims are at issue. I will dismiss the complaint with leave to 21 amend so that plaintiff may present, if he

can, a short and plain statement of his claims. 22 Additionally, in light of the foregoing dismissal, I will recommend that plaintiff's three motions 23 for temporary restraining order be denied. 24 Screening and Pleading Requirements 25 A federal court must screen the complaint of any claimant seeking permission to proceed 26 in forma pauperis. See 28 U.S.C. § 1915(e). The court must identify any cognizable claims and 27 dismiss any portion of the complaint that is frivolous or malicious, fails to state a claim upon 28 1 which relief may be granted, or seeks monetary relief from a defendant who is immune from such 2 relief. *Id.* 3 A complaint must contain a short and plain statement that plaintiff is entitled to relief, 4 Fed. R. Civ. P. 8(a)(2), and provide "enough facts to state a claim to relief that is plausible on its 5 face," *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007). The plausibility standard does not 6 require detailed allegations, but legal conclusions do not suffice. See *Ashcroft v. Iqbal*, 556 U.S. 7 662, 678 (2009). If the allegations "do not permit the court to infer more than the mere 8 possibility of misconduct," the complaint states no claim. *Id.* at 679. The complaint need not 9 identify "a precise legal theory." *Kobold v. Good Samaritan Reg'l Med. Ctr.*, 832 F.3d 1024, 10 1038 (9th Cir. 2016). Instead, what plaintiff must state is a "claim"—a set of "allegations that 11 give rise to an enforceable right to relief." *Nagrampa v. MailCoups, Inc.*, 469 F.3d 1257, 1264 12 n.2 (9th Cir. 2006) (en banc) (citations omitted). 13 The court must construe a pro se litigant's complaint liberally. See *Haines v. Kerner*, 404 14 U.S. 519, 520 (1972) (per curiam). The court may dismiss a pro se litigant's complaint "if it 15 appears beyond doubt that the plaintiff can prove no set of facts in support of his claim which 16 would entitle him to relief." *Hayes v. Idaho Corr. Ctr.*, 849 F.3d 1204, 1208 (9th Cir. 2017). 17 However, "'a liberal interpretation of a civil rights complaint may not supply essential elements 18 of the claim that were not initially pled.'" *Bruns v. Nat'l Credit Union Admin.*, 122 F.3d 1251, 19 1257 (9th Cir. 1997) (quoting *Ivey v. Bd. of Regents*, 673 F.2d 266, 268 (9th Cir. 1982)). 20 Analysis 21 Plaintiff asserts that defendants, including state judges, court clerks, sheriff's deputies, 22 forest service employees, and water district service managers, among others, have violated his 23 constitutional rights, maliciously prosecuted him, and violated whistleblower protection law. 24 ECF No. 1 at 7-13. The complaint is, as noted supra, not a short and plain statement of his 25 claims. Among the nearly one-hundred and thirty pages that comprise the complaint, plaintiff has 26 included documents addressed to the International Criminal Court in the Hague, *id.* at 35; a "writ 27 of quo warranto" that challenges defendant officials' right to hold their offices, *id.* at 43; and 28 allegations that can only be described as fanciful—for instance, a claims that defendant water 1 district service managers failed to warn him of "eboli (sic)" in the water supply, *id.* at 13. I am 2 skeptical, given the breadth and unintelligibility of the complaint, that amendment will cure the 3 deficiencies here. Nevertheless, I will give plaintiff one chance to amend. He is advised that any 4 amended complaint should be a short and plain statement of his claims against each named 5 defendant. Lengthy screeds and dozens of named defendants will not be looked upon favorably. 6 The complaint is dismissed with leave to amend. Any amended complaint will entirely 7 supersede the initial one and must be complete in itself. It should be titled "First Amended 8 Complaint" and

be filed within thirty days of this order's entry. 9 Additionally, because plaintiff has not shown any likelihood of success on the merits, I 10 recommend that his motions for temporary restraining order (and to expedite, electronic file, and 11 for default judgment), ECF Nos. 3, 4, & 6 be denied. "A plaintiff seeking a preliminary 12 injunction must establish that he is likely to succeed on the merits, that he is likely to suffer 13 irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, 14 and that an injunction is in the public interest."1 Winter v. Natural Resources Defense Council, 15 Inc., 555 U.S. 7, 20 (2008). 16 Finally, I will grant his application to proceed in forma pauperis, ECF No. 2. 17 Accordingly, it is ORDERED that: 18 1. Plaintiff's complaint, ECF No. 1, is DISMISSED with leave to amend. 19 2. Within thirty days from service of this order, plaintiff shall file either (1) an amended 20 complaint or (2) notice of voluntary dismissal of this action without prejudice. 21 3. Failure to timely file either an amended complaint or notice of voluntary dismissal may 22 result in the imposition of sanctions, including a recommendation that this action be dismissed 23 with prejudice pursuant to Federal Rule of Civil Procedure 41(b). 24 4. The Clerk of Court shall send plaintiff a complaint form with this order. 25 5. Plaintiff's application to proceed in forma pauperis, ECF No. 2, is GRANTED. 26 27 1 The standards for granting a temporary restraining order are substantively identical to those for a preliminary injunction. See Dumas v. Gommerman, 865 F.2d 1093, 1095 (9th Cir. 28 1989). 1 Further, it is RECOMMENDED that plaintiff's motions for temporary restraining order 2 | (and miscellaneous relief), ECF Nos. 3, 4, & 6, be DENIED. 3 These findings and recommendations are submitted to the United States District Judge 4 | assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days of 5 || service of these findings and recommendations, any party may file written objections with the 6 || court and serve a copy on all parties. Any such document should be captioned "Objections to 7 | Magistrate Judge's Findings and Recommendations," and any response shall be served and filed 8 | within fourteen days of service of the objections. The parties are advised that failure to file 9 | objections within the specified time may waive the right to appeal the District Court's order. See 10 | Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998); Martinez v. Yist, 951 F.2d 1153 (9th Cir. 11 1991). 12 3 IT IS SO ORDERED. 14 (ie — Dated: _ December 19, 2025 Q_——.

15 JEREMY D. PETERSON

16 UNITED STATES MAGISTRATE JUDGE

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