

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Mazgaj v. Charles

Mazgaj · No. 3:24-cv-00777-JAH-MSB · Decided February 25, 2025

SUMMARY

The United States District Court for the Southern District of California granted Jason Charles’s motion to dismiss a pro se complaint brought by Mildred Mazgaj and Marian Anthony. The court held that the plaintiffs lacked standing to pursue criminal claims and claims arising from Charles’s testimony in state family-court proceedings, and that Charles was protected by absolute witness immunity. The complaint was dismissed with prejudice.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	John A. Houston
JURISDICTION	United States District Court for the Southern District of California
DECIDED	February 25, 2025
DOCKET	3:24-cv-00777-JAH-MSB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved to dismiss the complaint under Federal Rules of Civil Procedure 12(b)(1) for lack of standing and subject-matter jurisdiction and 12(b)(6) for failure to state a claim. The court granted the motion under Rule 12(b)(1) and dismissed the complaint with prejudice without reaching Rule 12(b)(6).
STANDARD OF REVIEW	For a facial Rule 12(b)(1) challenge, the court accepts the complaint's allegations as true. At the pleading stage, standing must be adequately alleged, and pro se pleadings are liberally construed. The court must establish subject-matter jurisdiction before reaching the merits.
PRECEDENTIAL VALUE	unpublished district-court order; precedential status unknown
PARTIES	Mildred Mazgaj, Marian Anthony v. Jason Charles

TOPICS

- motions to dismiss
- standing
- subject matter jurisdiction
- civil procedure
- section 1983

PRACTICE AREAS

civil procedure

constitutional law

civil rights

QUESTIONS PRESENTED

1. Whether Plaintiffs had Article III standing to assert claims based on criminal statutes against a private individual.
2. Whether Plaintiffs had standing to sue Jason Charles for claims arising from his testimony as a witness in judicial proceedings.
3. Whether dismissal for lack of subject-matter jurisdiction should be with prejudice where the claims are barred by absolute witness immunity and the standing defect is plainly incurable.

HOLDINGS

1. Private citizens lack a judicially cognizable interest in the prosecution or nonprosecution of another and therefore lack standing to assert claims based solely on the criminal statutes identified in the complaint.
2. Plaintiffs lacked standing to pursue claims arising from Jason Charles's involvement as a witness in the state-court dissolution and child-custody proceedings because witnesses are absolutely immune from lawsuits based on their testimony.
3. The complaint was properly dismissed with prejudice because Plaintiffs' claims against Charles were barred by absolute witness immunity and it was plainly unlikely that Plaintiffs could cure the standing defect.

KEY QUOTATIONS

“*[I]n American jurisprudence ... a private citizen lacks a judicially cognizable interest in the prosecution or nonprosecution of another.*” (at 5)

“*Witnesses in judicial proceedings are absolutely immune from lawsuits based upon their testimony.*” (at 6)

“*The mere allegation of a conspiracy to affect the outcome is insufficient to defeat immunity.*” (at 6)

FACTUAL BACKGROUND

Marian Anthony was involved in a San Diego County family-court dissolution and child-custody matter. Plaintiffs alleged that Jason Charles, who was involved as an adverse witness in those proceedings, falsely denied remembering discussions at Bible studies and the frequency of Anthony's babysitting and tennis-coaching activities involving Charles's children. Plaintiffs attempted to invoke various criminal statutes, 42 U.S.C. § 1983, defamation, and conspiracy theories, but the complaint did not clearly structure or state specific causes of action.

PROCEDURAL HISTORY

Plaintiffs filed a federal complaint against Jason Charles based primarily on his testimony as a witness in Marian Anthony's San Diego County family-court dissolution and child-custody proceedings. Defendant moved to dismiss. After Plaintiffs opposed and Defendant filed no reply, the district court granted the motion, concluding that Plaintiffs lacked standing and that Charles was absolutely immune from claims arising from his testimony.

The complaint was dismissed with prejudice because the court found it plainly unlikely that the standing defect could be cured.

DISPOSITION

dismissed

CASES CITED

- Anthony v. Segura, 2024 WL 3315996 (S.D. Cal. July 3, 2024)
- Gould v. Mutual Life Insurance Co. v. New York, 790 F.2d 769, 774 (9th Cir. 1986)
- Steel Co. v. Citizens for a Better Environment, 523 U.S. 83, 95 (1998)
- Valdez v. United States, 837 F. Supp. 1065, 1067 (E.D. Cal. 1993), aff'd, 56 F.3d 1177 (9th Cir. 1995)
- Valley Forge Christian College v. Americans United for Separation of Church and State, Inc., 454 U.S. 464, 471 (1982)
- LSO, Ltd. v. Stroh, 205 F.3d 1146, 1152 (9th Cir. 2000)
- Cetacean Community v. Bush, 386 F.3d 1169, 1174 (9th Cir. 2004)
- Levine v. Vilsack, 587 F.3d 986, 991-92 (9th Cir. 2009)
- Lujan v. Defenders of Wildlife, 504 U.S. 555, 561 (1992)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Linda R.S. v. Richard D., 410 U.S. 614, 619 (1973)
- Retanan v. California Department of Corrections & Rehabilitation, 2012 WL 1833888, at *5 (E.D. Cal. May 18, 2012)
- Safouane v. Fleck, 226 F. App'x 753, 762 (9th Cir. 2007)
- Briscoe v. LaHue, 460 U.S. 325, 331-32 (1983)
- Imbler v. Pachtman, 424 U.S. 409 (1976)
- Siler v. Dillingham Ship Repair, 288 F. App'x 400, 401 (9th Cir. 2008)
- Fieldturf, Inc. v. Southwest Recreational Industries, Inc., 357 F.3d 1266, 1269 (Fed. Cir. 2004)
- Shorter v. California, 2024 WL 4644841, at *17-19 (C.D. Cal. Sept. 5, 2024)

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