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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA

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9 Kenneth C. Taylor,

No. CV-12-02403-PHX-DGC

10 Plaintiff,

**ORDER**

11 v.

12 State of Arizona,

13 Defendant.

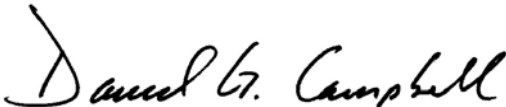
14 Plaintiff Kenneth C. Taylor filed a complaint against the State of Arizona for  
15 denying him due process in connection with a case involving custody of his children. He  
16 seeks monetary damages in the amount of \$10,000,000. Plaintiff also seeks remedies  
17 with respect to third parties, but only the State is named as Defendant. The State of  
18 Arizona moves to dismiss the complaint based on its sovereign immunity. Doc. 4. The  
19 Court will grant the motion.

20 Plaintiff is a private individual who brings a civil lawsuit against the State of  
21 Arizona. States are immune to such suits by private individuals. *College Sav. Bank v.*  
22 *Prepaid Postsecondary Educ. Expenses Bd.*, 527 U.S. 666, 670 (1999); *Porter v. Jones*,  
23 319 F.3d 483, 491 (9th Cir. 2003). Additionally, though not clearly stated, it seems that  
24 Plaintiff's complaint intends to invoke federal jurisdiction through 42 U.S.C. § 1983.  
25 The State of Arizona is not a "person" within the meaning of that statute and cannot be  
26 liable for money damages. *Will v. Michigan Department State Police*, 491 U.S. 58, 71  
27 (1989). As the complaint's defects cannot be cured by amendment, dismissal is granted  
28 with prejudice.

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**IT IS ORDERED** that Defendant's motion to dismiss (Doc. 4) is **granted**. The clerk is directed to terminate this action.

Dated this 25th day of January, 2013.



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David G. Campbell  
United States District Judge