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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONNELL BLEDSOE,
Plaintiff,
v.
SAN JOAQUIN COUNTY SUPERIOR
COURT, et al.,
Defendants.

No. 2:23-cv-00158-DAD-KJN

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THIS ACTION

(Doc. No. 4)

Plaintiff Donnell Bledsoe, proceeding *pro se* and *in forma pauperis*, initiated this civil action on January 26, 2023. (Doc. No. 1.) This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 6, 2023, the assigned magistrate judge screened plaintiff’s complaint and issued findings and recommendations recommending that this action be dismissed with prejudice because this court lacks subject matter jurisdiction to hear this action, the crux of which is plaintiff’s dissatisfaction with a state court decision regarding disputed ownership over a house and subsequent eviction from that house. (Doc. No. 4 at 3–4.) In addition, the magistrate judge noted that complete diversity does not exist among the parties in this case, and “plaintiff’s allegation regarding negligence in the proceedings over the house is not a federal question.” (*Id.*) The magistrate judge also recommended that this action be dismissed without leave to amend because any purported civil rights claims plaintiff may intend to bring under 42 U.S.C. § 1983

1 cannot be maintained against the state court judge and court staff whom plaintiff has named as
2 defendants in this action. (*Id.* at 4.) Those findings and recommendations were served on
3 plaintiff and contained notice that any objections thereto were to be filed within fourteen (14)
4 days of service. (*Id.* at 5.) On April 11, 2023, plaintiff filed objections to the pending findings
5 and recommendations. (Doc. No. 5.)

6 In his objections, plaintiff does not meaningfully address the analysis in the findings and
7 recommendations. Rather, plaintiff merely reiterates his dissatisfaction that the state superior
8 court did not address his affirmative defense of sovereign immunity in the underlying state court
9 proceedings regarding ownership of the house at issue, and his frustration that one of the
10 witnesses in that action allegedly committed perjury. (*Id.* at 2–4.) Both of these grievances,
11 however, were addressed in the findings and recommendations and were properly found to be
12 irrelevant as to the question of whether this court has subject matter jurisdiction over this case.
13 For these reasons, plaintiff’s objections do not provide any basis upon which to reject the pending
14 findings and recommendations.

15 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
16 *de novo* review of the case. Having carefully reviewed the entire file, including plaintiff’s
17 objections, the court concludes that the findings and recommendations are supported by the
18 record and by proper analysis.

19 Accordingly,

- 20 1. The findings and recommendations issued on April 6, 2023 (Doc. No. 4) are
21 adopted in full;
- 22 2. This action is dismissed with prejudice due to a lack of subject matter jurisdiction;
23 and
- 24 3. The Clerk of the Court is directed to close this case.

25 IT IS SO ORDERED.

26 Dated: May 16, 2023

27 
28 UNITED STATES DISTRICT JUDGE