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II.

The court must abstain and dismiss Brown's request for injunctive relief because it is well-settled that a federal court may not interfere with ongoing state criminal proceedings by granting injunctive or declaratory relief. See Younger v. Harris, 401 U.S. 37, 43-54 (1971). There may be an exception to Younger abstention upon a showing of the state's bad faith or harassment, or a showing that the statute challenged is "flagrantly and patently violative of express constitutional prohibitions," id. at 46, 53-54; however, there is no such showing or indication here. Brown's request for injunctive relief must be dismissed. See Judice v. Vail, 430 U.S. 327, 348 (1977) (district court must dismiss action for declaratory or injunctive relief if it finds that Younger abstention is appropriate); Beltran v. California, 871 F.2d 777, 782 (9th Cir. 1988) (same).

III.

For the foregoing reasons, Brown's action is DISMISSED and the clerk is instructed to enter judgment in accordance with this order and close the file.

SO ORDERED.

DATED: July 10, 2013

  
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CHARLES R. BREYER  
United States District Judge