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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TERRANCE TURNER,
Plaintiff,
v.
STRIPE PAYMENTS COMPANY, et al.,
Defendants.

Case No. 23-cv-03385-JST

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Re: ECF No. 8

The Court has reviewed Magistrate Judge Alex Tse’s report and recommendation to dismiss this action for failure to state a claim pursuant to 28 U.S.C. § 1915(e). ECF No. 8.

In his original complaint against Defendants, Plaintiff Terrance Turner alleged that Defendants are “misusing data in violation of Computer Fraud and Abuse Case Act, Wire Fraud Statutes, and other financial, consumer protection, privacy laws and legal statutes.” ECF No. 7 at 4. Judge Tse found that these allegations were legal conclusions “not entitled to the assumption of truth.” ECF No. 6 at 1 (quoting *Ashcroft v. Iqbal*, 556 U.S. 662, 680 (2009)). In assessing Turner’s amended complaint—which “add[ed] over a dozen criminal claims under Title 18 of the United States Code,” as well as a “host of incomprehensible allegations”—Judge Tse reasoned that Turner did not have “standing to enforce federal criminal laws.” ECF No. 8 at 1–2. Turner’s Fourth Amendment claim was also dismissed, as the Fourth Amendment only protects “intrusions by government actors, not private actors such as Stripe.” *Id.* at 2. Judge Tse concluded that “[g]iven that Turner failed to cure the deficiencies previously identified by the Court, granting further leave to amend would be futile.” *Id.* at 3.

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Turner timely submitted objections to the order. ECF No. 10.¹ The Court has reviewed the amended complaint, Judge Tse’s recommendation, and Turner’s objections de novo. Turner’s objections fail to address the deficiencies outlined by Judge Tse. Although Turner’s objections raise seven new claims, the Court finds that each lacks merit. The new claims level general criticisms at Defendants without coherently explaining the harm that Turner may have suffered. Turner’s objections also consist largely of ranting and swearing.

Accordingly, the Court finds that Judge Tse’s report is well-reasoned, thorough, and adopts it in full. Turner’s complaint is therefore dismissed with prejudice. The Court hereby enters judgment against Turner. The Clerk of Court shall close the file in this matter.

IT IS SO ORDERED.

Dated: November 13, 2023



JON S. TIGAI
United States District Judge

¹ Turner submitted another set of objections on October 21, 2023—ten days after the deadline. ECF No. 11. Because the second set of objections is both untimely and duplicative, the Court will only consider the objections raised in ECF No. 10.