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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 MASOUD KHAZALI,

11 Plaintiff,

12 v.

13 JAMES L. ROBART,

14 Defendant.
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Case No. C17-1102 RSM

ORDER DENYING MOTION FOR
RECUSAL AND ORDER TO SHOW
CAUSE

16 *Pro Se* Plaintiff Masoud Khazali has been granted leave to proceed *in forma pauperis* in
17 this matter. Dkt. #4. The Complaint was posted on the docket on July 25, 2017. Dkt. #5.
18 Summons has not yet been issued.

19 As an initial matter, Plaintiff brings a Motion for “Recusal and Direct Review by Jury.”
20 Dkt. #6. Plaintiff “request[s] this case to be reviewed directly by a 12 member jury because
21 Federal judges cannot defend their own States, whom they are working for, at their own court
22 against immigrants whom the States have been abusing for more than 200 years!” *Id.* Plaintiff
23 makes tangential references to the United States of America’s promotion of slavery and the
24 bible. Plaintiff ends with a conciliatory parenthetical: “(Judges could read the document and
25 issue corrective orders to correct the previous orders).” *Id.* The Court finds that Plaintiff has
26 presented insufficient evidence to support a request for recusal. Plaintiff does not request that
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ORDER TO SHOW CAUSE - 1

1 any one judge be recused, rather that all judges generally recuse themselves; this is not relief
2 that can be granted. The Court notes that Plaintiff is apparently satisfied with this Court's
3 authority to hear this case as long as it rules in Plaintiff's favor; this further persuades the Court
4 that denial is appropriate. Plaintiff's allegations, similar to those in his Complaint described
5 below, appear frivolous. Accordingly, this Motion will be denied.
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7 Plaintiff brings this action against the United States of America ("the Government").
8 Dkt. #5 at 1. Plaintiff states that the Government "acted unconstitutional [sic] by Kidnapping
9 [sic] the child of the immigrant (and the U.S. citizen) Mr. Khazali," and that the Government
10 "supports and promotes such a crime act by promoting Christianity that confirms the act of the
11 Kidnapping and slavery of immigrant children (in its book of Bible) and by naming its Capital,
12 State, university, currency and stamp after the slave master (Washington) who supported
13 Kidnapping immigrant children and Slavery." *Id.* Plaintiff goes on to describe our nation's
14 first president, George Washington, as "an English officer who murdered French" and "an
15 English who used arms and explosives to fight the then current Government [during the
16 American Revolution]; an act of terrorism." *Id.* at 1. Plaintiff alleges that the Government
17 "supports Kidnapping, child abuse, slavery, gender and racial inequality and terrorism as long
18 as it symbolizes Washington and names its capital after such a criminal and prints its currency
19 in the name of such criminal terrorist..." *Id.* Plaintiff's views on George Washington and
20 Christianity surface repeatedly and unexpectedly in the Complaint. Plaintiff appears to bring
21 this lawsuit based on the Honorable Judge James. L. Robart's denial of Plaintiff's motion for a
22 stay in a prior or concurrent action. *See id.* at 3. Plaintiff argues that "judges should not be
23 allowed to preside over the conflicts between a citizen and a State (Or the States)" and that "no
24 court should oversee a conflict between a court and a citizen." *Id.* at 3-4.
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1 Plaintiff includes the following attachments to his Complaint: “The Kidnap Loving
2 State,” which provides a sort of history of slavery in the United States; “The State of the
3 Claim,” which provides some procedural background, “The Tort of the Court,” which appears
4 at first glance to allege violations of the Constitution committed by various courts, but actually
5 attempts to connect modern court procedures like asking witnesses to raise their right hand or
6 hearing testimony from witnesses to ancient religious practices; “Life: the Live Connection
7 through Space,” which engages in a metaphysical discussion of “invisible energy” and “hidden
8 life in light;” “The Immune Executioner,” which discusses injury to the Plaintiff, including
9 Plaintiff “los[ing] his mind,” caused by the separation of Plaintiff from his child; “Prevention
10 of Abuse,” broadly discussing his claim; and “Valuing Property over Humanity,” which
11 accuses the Court of continuing historic practices of slavery. *See id.* at 5-18.
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14 The Court will dismiss a Complaint at any time if the action fails to state a claim, raises
15 frivolous or malicious claims, or seeks monetary relief from a defendant who is immune from
16 such relief. *See* 28 U.S.C. § 1915(e)(2)(B).
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18 The Complaint does not clearly identify what laws or statutes Plaintiff believes give rise
19 to a claim against the Government, and Plaintiff does not support his claims with specific facts
20 presented in a clear and understandable manner. Plaintiff’s allegations are extremely difficult
21 to follow with unconnected facts and broad sweeping accusations of crime connected to
22 unrelated historical events or possibly official court actions. It is unclear from the Complaint
23 how the Court has subject matter jurisdiction, why the Government would not be immune from
24 suit, or even what relief Plaintiff is seeking.
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1 Considering all of the above, Plaintiff's Complaint fails to state a claim and appears
2 frivolous and malicious. Plaintiff's Complaint suffers from deficiencies that, if not adequately
3 explained in response to this Order, will require dismissal. *See* 28 U.S.C. § 1915(e)(2)(B).

4 In Response to this Order, Plaintiff must write a short and plain statement telling the
5 Court (1) the laws, statutes, or specific portions of the Constitution upon which his claims are
6 based, (2) how Defendant violated those laws or statutes causing harm to Plaintiff, and (3) why
7 this case should not be dismissed as frivolous. **This Response may not exceed six (6) pages.**
8 Plaintiff is not permitted to file additional pages as attachments. The Court will take no further
9 action in this case until Plaintiff has submitted this Response.
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11 The Court hereby finds and ORDERS:

12 (1) Plaintiff's Motion for Recusal (Dkt. #6) is DENIED.

13 (2) Plaintiff shall file a Response to this Order to Show Cause containing the detail
14 above **no later than twenty-one (21) days from the date of this Order.** Failure to
15 file this Response will result in dismissal of this case. The Clerk shall send a copy
16 of this Order to Plaintiff at 14324 32ND AVE NE, APT D, SEATTLE, WA 98125.
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20 DATED this 27th day of July 2017.

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23 RICARDO S. MARTINEZ
24 CHIEF UNITED STATES DISTRICT JUDGE
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