Query   **Reports**   **Utilities**   **Help**   Log Out

(ADSx),APPEAL,CLOSED,DISCOVERY

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Southern Division - Santa Ana)
CIVIL DOCKET FOR CASE #: 8:19-cv-02050-CBM-ADS

Adam Bereki v. Gary Humphreys et al
Assigned to: Judge Consuelo B. Marshall
Referred to: Magistrate Judge Autumn D. Spaeth
Case in other court: 9th Circuit, 20-55181
Cause: 28:2201 Constitutionality of State Statute(s)

Date Filed: 10/28/2019
Date Terminated: 02/06/2020
Jury Demand: None
Nature of Suit: 950 Constitutional - State
Statute
Jurisdiction: Federal Question

Plaintiff

Adam Bereki
a man

represented by **Adam Bereki**
818 Spirit
Costa Mesa, CA 92626
949-241-6693
Email: abereki@gmail.com
PRO SE

V.

Defendant

Gary Humphreys
a man

represented by **William George Bissell**
William G Bissell Law Offices
41 Corporate Plaza Drive Ste 120
Newport Beach, CA 92660
949-719-1159
Email: wbissell@wgb-law.com
ATTORNEY TO BE NOTICED

Defendant

Karen Humphreys
a woman

represented by **William George Bissell**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/28/2019	1	COMPLAINT against Defendants Gary Humphreys, Karen Humphreys. Case assigned to Judge Consuelo B. Marshall for all further proceedings. Discovery referred to

		Magistrate Judge Autumm D. Spaeth. Filed by Plaintiff Adam Bereki. (Attachments: # 1 Civil Cover Sheet) (lh) (Entered: 10/30/2019)
10/28/2019	2	CERTIFICATION AND NOTICE of Interested Parties filed by Plaintiff Adam Bereki, (lh) (Entered: 10/30/2019)
10/28/2019	3	APPLICATION to Proceed In District Court Without Prepaying Fees or Costs (Long Form) filed by Plaintiff Adam Bereki. (lh) (Entered: 10/30/2019)
10/28/2019	4	NOTICE OF ASSIGNMENT to District Judge Consuelo B. Marshall and Magistrate Judge Autumn D. Spaeth. (lh) (Entered: 10/30/2019)
10/28/2019	7	REQUEST FOR ASSISTANCE OF COUNSEL filed by Plaintiff Adam Bereki. (shb) (Entered: 11/12/2019)
10/31/2019	5	ORDER RE REQUEST TO PROCEED IN FORMA PAUPERIS by Magistrate Judge Autumn D. Spaeth: IT IS ORDERED that the Request to Proceed In Forma Pauperis 3 is hereby GRANTED. (kh) (Entered: 10/31/2019)
11/01/2019	6	STANDING ORDER upon filing of the complaint by Judge Consuelo B. Marshall. READ THIS ORDER CAREFULLY. It controls this case and may differ in some respects from the Local Rules. (ys) (Entered: 11/01/2019)
11/08/2019	11	FIRST AMENDED VERIFIED COMPLAINT amending Complaint - (Discovery), 1 , filed by Plaintiff Adam Bereki(shb) (Entered: 11/20/2019)
11/12/2019	8	MINUTES (IN CHAMBERS) by Judge Consuelo B. Marshall: DENYING 7 REQUEST FOR ASSISTANCE OF COUNSEL. The Court, however, advises Plaintiff that the Central District of California offers Pro Se Clinics in Los Angeles, Riverside and Santa Ana. See order for details. (shb) (Entered: 11/13/2019)
11/14/2019	10	NOTICE filed by Plaintiff Adam Bereki. (shb) (Entered: 11/20/2019)
11/19/2019	9	NOTICE OF MOTION AND MOTION to Dismiss Case filed by defendants Gary Humphreys, Karen Humphreys. Motion set for hearing on 12/17/2019 at 10:00 AM before Judge Consuelo B. Marshall. (Attachments: # 1 Proposed Order) (Attorney William George Bissell added to party Gary Humphreys(pty:dft), Attorney William George Bissell added to party Karen Humphreys(pty:dft)) (Bissell, William) (Entered: 11/19/2019)
11/20/2019	12	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: NOTICE OF MOTION AND MOTION to Dismiss Case 9 . The following error(s) was/were found: Local Rule 7.1-1 No Notice of Interested Parties and/or no copies. In response to this notice, the Court may: (1) order an amended or correct document to be filed; (2) order the document stricken; or (3) take other action as the Court deems appropriate. You need not take any action in response to this notice unless and until the Court directs you to do so. (shb) (Entered: 11/20/2019)
11/20/2019	14	NOTICE re CHALLENGE TO THE CONSTITUTIONALITY OF STATE STATUTES filed by Plaintiff Adam Bereki. (shb) (Entered: 11/21/2019)
11/21/2019	13	NOTICE Notice of interested Parties filed by defendants Gary Humphreys, Karen

		Humphreys. (Bissell, William) (Entered: 11/21/2019)
11/22/2019	15	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Notice (Other) 13 . The following error(s) was/were found: Incorrect event selected. Correct event to be used is: Civil Events Other Filings Notices select - Certificate/Notice of Interested Parties. In response to this notice, the Court may: (1) order an amended or correct document to be filed; (2) order the document stricken; or (3) take other action as the Court deems appropriate. You need not take any action in response to this notice unless and until the Court directs you to do so. (shb) (Entered: 11/22/2019)
11/25/2019	19	APPLICATION for Pro Se Litigant to electronically file documents in a specific case filed by Plaintiff Adam Bereki. (shb) (Entered: 12/03/2019)
11/27/2019	16	WAIVER OF SERVICE Returned Executed filed by Plaintiff Adam Bereki served upon Gary Humphreys waiver sent by Plaintiff on 11/4/2019, answer due 1/3/2020; Karen Humphreys waiver sent by Plaintiff on 11/4/2019, answer due 1/3/2020. Waiver of Service signed by Attorney, William Bissell. (shb) (Entered: 12/02/2019)
11/27/2019	17	OPPOSITION TO DEFENDANT'S MOTION TO DISMISS CASE, 9 filed by Plaintiff Adam Bereki. (shb) (Entered: 12/02/2019)
11/27/2019	18	DECLARATION OF ADAM BEREKI IN SUPPORT OF HIS OPPOSITION TO DEFENDANTS MOTION TO DISMISS CASE, 9 filed by Plaintiff Adam Bereki. (shb) (Entered: 12/02/2019)
11/27/2019	20	PLAINTIFF'S EXHIBIT K IN SUPPORT OF OPPOSITION TO DEFENDANTS MOTION re NOTICE OF MOTION AND MOTION to Dismiss Case 9 filed by Plaintiff Adam Bereki. (Attachments: # 1 Exhibit K Part 2 of 2)(shb) (Entered: 12/03/2019)
11/27/2019	21	PLAINTIFFS EXHIBIT K Part 2 RE OPPOSITION TO DEFENDANTS MOTION TO DISMISS 9 , filed by Plaintiff Adam Bereki. (Attachments: # 1 Exhibit K Part of 4) (shb) (Entered: 12/03/2019)
11/27/2019	22	PLAINTIFFS EXHIBIT K Part 3 RE OPPOSITION TO DEFENDANTS MOTION TO DISMISS CASE 9 filed by Plaintiff Adam Bereki. (Attachments: # 1 Exhibit K Part 3 part 2)(shb) (Entered: 12/03/2019)
11/27/2019	23	[REFER TO NOTICE OF CLERICAL ERROR, DKT 27 FOR EXHIBIT K, PART 4 OF 4]. PLAINTIFFS EXHIBIT K Part 4 -1, 2 IN OPPOSITION TO DEFENDANTS MOTION TO DISMISS CASE, 9 filed by Plaintiff Adam Bereki. (Attachments: # 1 Exhibit K Part 4-2)(shb) (Additional attachment(s) added on 12/3/2019: # 2 Exhibit K Part 4. No. 3, # 3 Exhibit K Part 4 No. 4) (shb). Modified on 12/9/2 019 (shb). (Entered: 12/03/2019)
11/27/2019	24	PLAINTIFFS EXHIBIT L Pts 1-4 RE REPLY TO DEFENDANTS MOTION TO DISMISS, 9 filed by Plaintiff Adam Bereki. (Attachments: # 1 Exhibit L Part 2, # 2 Exhibit L Part 3, # 3 Exhibit L Part 4)(shb) (Entered: 12/03/2019)
11/27/2019	25	PLAINTIFFS EXHIBIT M IN OPPOSITION TO DEFENDANTS MOTION TO

		DISMISS, 9 filed by Plaintiff Adam Bereki. (shb) (Entered: 12/03/2019)
12/04/2019	26	ORDER by Judge Consuelo B. Marshall: GRANTING 19 APPLICATION for Pro Se Electronic Filing. The applicant must register to use the Courts CM/ECF System within five (5) days of being served with this order. Registration information is available at the Pro Se Litigant E-Filing web page located on the Courts website. Upon registering, the applicant will receive a CM/ECF login and password that will allow him/her to file non-sealed documents electronically in this case only. Any documents being submitted under seal must be manually filed with the Clerk. (shb) (Entered: 12/05/2019)
12/09/2019	27	NOTICE OF CLERICAL ERROR: Due to clerical error Re: Plaintiff's Exhibits in Opposition to Defendant's Motion to Dismiss, Exhibit K, Part 4 of 4, 23 . Document 23 image is missing parts and out of order. THE ATTACHMENT 23 IS BEINGREPLACED AND THE CORRECT/COMPLETE DOCUMENT RE EXHIBIT K, Part 4 of 4, IS ATTACHED HERETO. (Attachments: # 1 Exhibit 4, Part 1, # 2 Exhibit 4, Part 2, # 3 Exhibit 4, Part 3, # 4 Exhibit 4, Part 4, # 5 Exhibit 4, Part 5, # 6 Exhibit 4, Part 6, # 7 Exhibit 4, Part 7, # 8 Exhibit 4, Part 8) (shb) (Entered: 12/09/2019)
12/11/2019	28	MINUTE IN CHAMBERS ORDER RE DEFENDANTS MOTION TO DISMISS THE FIRST AMENDED COMPLAINT by Judge Consuelo B. Marshall: The Court continues the hearing on the Motion to Dismiss from December 17, 2019 to January 14, 2020 at 10:00 a.m. See order for further details. (shb) (Entered: 12/11/2019)
01/14/2020	29	MINUTES OF HEARING RE DEFENDANT'S MOTION TO DISMISS, 9 Hearing held before Judge Consuelo B. Marshall: Following discussions with the parties, the Court advises counsel that the motion is taken under submission. Plaintiff is ordered to file the additional citations by no later than January 17, 2020. Once the Court review the new citations a written order will issue. Defendant's judicial notice is granted. Court Reporter: Sherri Kleeger. (shb) (Entered: 01/14/2020)
01/16/2020	30	PLAINTIFF'S ADDITIONAL AUTHORITIES AND CORRECTED TESTIMONY TO BE CONSIDERED BY THE COURT RE: DEFENDANTS MOTION TO DISMISS FILED 11/19/19, 9 filed by Plaintiff Adam Bereki. (shb) (Entered: 01/17/2020)
02/06/2020	31	ORDER RE: DEFENDANTS MOTION TO DISMISS THE FIRST AMENDED COMPLAINT PURSUANT TO RULE 12(B)(1), (6) & (7) OF THE FEDERAL RULES OF CIVIL PROCEDURE AND REQUEST FOR JUDICIAL NOTICE by Judge Consuelo B. Marshall: The Court GRANTS Defendants Motion to Dismiss, and dismisses the action with prejudice because Plaintiff is collaterally stopped from bringing this action. The Court also finds this action is barred pursuant to the Rooker-Feldman doctrine. (MD JS-6. Case Terminated) (shb) (Entered: 02/06/2020)
02/10/2020	32	NOTICE OF APPEAL and Representation Statement, to the 9th CCA filed by plaintiff Adam Bereki. Appeal of Order on Motion to Dismiss Case, 31 Filed On: 2/6/20; Entered On: 2/6/20; In forma pauperis was granted on 10/31/19, see item 5. (mat) (Entered: 02/19/2020)
02/20/2020	33	NOTIFICATION from Ninth Circuit Court of Appeals of case number assigned and briefing schedule. Appeal Docket No. 20-55181 assigned to Notice of Appeal to 9th

		Circuit Court of Appeals, <u>32</u> as to Plaintiff Adam Bereki. (shb) (Entered: 02/21/2020)
02/24/2020	<u>34</u>	APPEAL REFERRAL - REFERRAL NOTICE re: Notice of Appeal to 9th Circuit Court of Appeals <u>32</u> RECEIVED from 9th Circuit Court. Referred to the District Court for the limited purpose of determining whether in forma pauperis status should continue for this appeal or whether the appeal is frivolous or taken in bad faith. If the district court elects to revoke in forma pauperis status, the district court is requested to notify this court and the parties of such determination within 21 days of the date of this referral. If the district court does not revoke in forma pauperis status, such status will continue automatically for this appeal. (mat) (Entered: 02/25/2020)
02/27/2020	<u>35</u>	ORDER RE: NINTH CIRCUITS REFERRAL AND REVOCATION OF PLAINTIFFS IN FORMA PAUPERIS STATUS <u>34</u> by Judge Consuelo B. Marshall. The Court finds Plaintiff's in forma pauperis status should not continue for the appeal because Plaintiffs appeal of the Order is frivolous. Therefore, the Court revokes Plaintiffs in forma pauperis status. (SEE ORDER FOR FURTHER DETAILS) (yl) (Entered: 02/28/2020)
03/16/2020	<u>37</u>	TRANSCRIPT ORDER re: Court of Appeals case number 20-55181, as to Plaintiff Adam Bereki for Court Reporter. Court will contact Adam Bereki at abereki@gmail.com with further instructions regarding this order. Transcript preparation will not begin until payment has been satisfied with the court reporter. (ha) (Entered: 08/05/2020)
03/23/2020	<u>36</u>	NOTICE OF APPEAL and Representation Statement. to the 9th CCA filed by plaintiff Adam Bereki. Appeal of Order, <u>35</u> Filed On: 2/27/20; Entered On: 2/28/20. (mat) (Entered: 03/26/2020)
11/12/2020	<u>38</u>	ORDER from Ninth Circuit Court of Appeals filed re: Notice of Appeal to 9th Circuit Court of Appeals, <u>32</u> filed by Adam Bereki. CCA # 20-55181. All other pending motions are denied as moot. DISMISSED. (lom) (Entered: 11/17/2020)