SEP - 2 2025

OFFICE OF THE CLERK

No. 25A 272

## In the Supreme Court of the United States

DENNIS D. SADORRA,

Applicant,

v.

STARLIGHT DUNES HOMEOWNERS ASSOCIATION,

Respondent.

EMERGENCY APPLICATION FOR STAY OF PROCEEDINGS IN THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE, PENDING DISPOSITION OF PETITION FOR CERTIORARI

> Dennis D. Sadorra 43810 Skyward Way, LaQuinta, CA 92253 Phone: 760-880-8416 Applicant Pro Se

RECEIVED

SEP - 5 2025

OFFICE OF THE CLERK
SUPREME COURT, U.S.

### PARTIES TO THE PROCEEDINGS AND RELATED CASES

All parties to the proceedings are listed in the caption.

The proceedings in the Superior Court of California, County of Riverside identified below are directly related to the above captioned case in this Court.

Pertinent action, Starlight Dunes Homeowners Association v. Dennis D. Sadorra, (Case Number PSC2003087). Applicant Dennis D. Sadorra (Defendant in trial court proceedings). Starlight Dunes Homeowners Association (Plaintiff in trial court proceedings).

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To the Honorable Elena Kagan, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Ninth Circuit:

Dennis D, Sadorra respectfully submits this Application For Stay of Proceedings by the Superior Court of California, County of Riverside, Pending Disposition of Petition of Certiorari

### **OPINIONS BELOW**

The Superior Court of California, County of Riverside, issued a tentative ruling granting partial summary judgment in Case No. PSC2003087 on or about March 22, 2023. The ruling became final at a hearing on June 5, 2025, presided over by Judge Randall White. The court declined to stay proceedings despite Applicant's submission of a docketed Petition for Writ of Certiorari filed in this Court on May 22, 2025 (No. 24-1191) and entered partial summary judgment granting injunctive relief. These orders and rulings were not published at the time and did not appear in an official reporter. Applicant, at the time, did not have written copies of the rulings, which were either delivered orally in court or reflected in unsigned minute entries maintained by the Superior Court.

The United States Court of Appeals For the Ninth Circuit on August 28, 2025 actively blocked the process of submission of Stay (App.F).

### **JURISDICTION**

This application arises from ongoing proceedings in the Superior Court of California, County of Riverside, following the entry of partial summary judgment on issues that raise substantial federal constitutional questions. While further proceedings remain, trial court has expressly stated that it will proceed absent a stay issued by this Court. Applicant has filed a Petition for Writ of Certiorari to preserve these issues for

review. Applicant submits that under these circumstances, this Court has jurisdiction under 8 U.S.C. § 1257(a) to issue a stay to prevent irreparable harm and loss of jurisdictional integrity.

### STATUTES AND RULES INVOLVED

"Final judgments or decrees rendered by the highest court of a State in which a decision could be had, may be reviewed by the Supreme Court by writ of certiorari..." 28 U.S.C. § 1257a)

"In any case in which the final judgment or decree of any court is subject to review by the Supreme Court on writ of certiorari, the execution and enforcement of such judgment or decree may be stayed for a reasonable time to enable the party aggrieved to obtain a writ of certiorari from the Supreme Court..." 28 U.S.C. § 2101(f)

"No State shall...deprive any person of life, liberty or property, without due process of law" U.S Const. amend. XIV § 1.

### INTRODUCTION

This Emergency Application seeks to stay proceedings in the Superior Court of California, County of Riverside, Case No. PSC2003087, pending the disposition of a properly filed and docketed Petition for Writ of Certiorari in the United States Supreme Court, Docket No. 24-1191. Applicant, Mr. Dennis Sadorra, respectfully requests this stay to prevent irreparable harm resulting from a partially granted summary judgment that imposes injunctive relief affecting Applicant's real property while critical discovery remains incomplete in a related property damage case (Case No. CVPS2401619), which is scheduled for trial in March 2026.

Honorable Judge Klatchko, on March 11, 2025, instructed Applicant to submit proof of a filed and docketed Supreme Court petition by the next hearing date (App. A). Applicant complied with that order and submitted the required proof to the court, including a CM-180 Stay Request and confirmation of docketed certiorari petition No. 24-1191 (App. B - C). Despite this compliance and explicit directive from Judge Klatchko, a subsequent hearing held on June 5, 2025, presided over by a different judge (Hon. Randall White), who declined to consider Judge Klatchko's instruction and allowed tentative ruling to become a partial summary judgment. This action materially altered the status of the underlying property, undermined the integrity of related proceedings, and imposed obligations on Applicant in contravention of his federal appellate rights.

In light of the United States Court of Appeals For the Ninth Circuit actively blocking Applicant's submission of Stay (App.F), this Application requests a stay to preserve status quo, respect state trial court's prior directive, prevent irreparable harm to Applicant's real property, and ensure orderly administration of justice while constitutional issues raised in the pending certiorari petition are considered by this Court.

### STATEMENT OF THE CASE

This matter arises from proceedings in the Superior Court of California, County of Riverside, Case No. PSC2003087, where Applicant, Mr. Sadorra, is defending against claims concerning alleged unpermitted improvements to real property. The trial court has issued a partial summary judgment against Applicant, ordering injunctive relief requiring the removal of exterior installations and landscape changes from the subject property.

On March 11, 2025, during a hearing in the trial court, the Honorable Judge Klatchko expressly instructed Applicant to have a docketed number of Petition for Writ of Certiorari in the United States Supreme Court and to present proof of that filing to the trial court at the next hearing. The judge's directive was reflected in the court's minute order, which included the following warning: "If a Supreme Court [petition] is not filed and docketed by the continued hearing date, the court will move forward with the motion for summary judgment. If further continuance is requested, the court will need evidence of key filing with the Supreme Court." Applicant, prior to judge Klatchko's instruction was already processing Petition for Writ of Certiorari with the United States Supreme Court. It was docketed on May 22, 2025, Case No. 24-1191. On June 4, 2025, Applicant submitted to the Superior Court of California a CM-180 Notice of Stay of Proceedings, along with a cover letter confirming the Supreme Court docket number (App. B). However, on June 12, 2025, the trial court rejected stay filing stating that there was no "specific order from the U.S. Supreme Court ordering a stay of case PSC2003087 (App. C).

At the follow up hearing on June 5, 2025, Judge Randall White, sitting in place of Judge Klatchko, declined to acknowledge or enforce Judge Klatchko's prior directive. Although the court clerk read the March 11 minute order into the record, Judge White disregarded the requirement for proof of certiorari filing and instead permitted the previously tentative partial summary judgment to become final and effective as to the injunctive relief.

The trial court's entry of partial summary judgment, if not stayed, is an irreparably harm to Applicant's interests in the subject property and will disrupt the fair resolution of

related property damage lawsuit, Case No. CVPS2401619. That action, also pending in the Riverside County Superior Court and set for trial in March 2026, concerns extensive damage caused by neighboring property owner and is currently in discovery.

Forcing compliance with injunction now would risk altering physical conditions relevant to ongoing litigation and preclude adequate evaluation of damages, liability, and causation before discovery process concludes.

Applicant filed Motion to Stay Proceeding in the United States District Court,
Central District of California on July 17, 2025. Stay was approved by United States
District Court, Central District of California (Hon. Judge Jesus Bernal (App. D) on August
1, 2025, but ruling reversed and denied on August 20,2025 (App. E). Applicant
electronically filed an emergency motion for stay with U.S. Court of Appeals for the 9<sup>th</sup>
Circuit on August 28 only to be denied and told the case was closed and would not be
heard (App. F- G).

Applicant seeks emergency relief from this Court to stay further enforcement of the trial court's order, prevent interference with related proceedings, and ensure that this Court's jurisdiction over the pending Petition for Writ of Certiorari is preserved.

### REASONS FOR GRANTING THE APPLICATION

### I. SUBSTANTIAL LIKELIHOOD THAT CERTIORARI WILL BE GRANTED

Applicant's Petition for Writ of Certiorari (No. 24-1191) presents substantial federal questions involving procedural fairness and due process in state court civil proceedings.

The Superior Court of California initially ordered Applicant to provide evidence of a docketed filing with this Court before continuing with summary judgment proceedings.

Applicant fully complied by filing a certiorari petition, including submitting proof of docketing. This court has held that:

The fact that the issuance of a stay is left to the court's discretion "does not mean that no legal standard governs that discretion. ...[these] legal principles have been distilled into consideration of four factors: "(1) whether the stay applicant has made a strong showing that he is likely to succeed on the merits; (2) whether the applicant will be irreparably injured absent a stay; (3) whether issuance of the stay will substantially injure the other parties interested in the proceeding; and (4) where the public interest lies. *Niken v. Holder*, 556 U.S. 418 (2009).

The Superior Court ignored its own procedural directive and entered judgment without addressing the constitutional implications of its contradictory conduct. This raises questions of judicial consistency, due process, and fair access to appellate review, issues of recurring importance that merit this Court's attention. Procedural irregularity, coupled with the impact of the judgment on related pending litigation, elevates this case beyond a routine state dispute.

## II. THERE IS REASONABLE PROSPECT THAT THE COURT WILL REVERSE OR VACATE THE DECISION BELOW

Applicant has shown that trial court's entry of partial summary judgment, despite express instruction to withhold such action pending Supreme Court filing violates the principles of procedural fairness. Record reflects judicial inconsistency and potential denial of due process, which this Court has held to be unconstitutional. See *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009) (recognizing the constitutional implications of judicial conduct that undermines fairness).

Moreover, injunction entered below interferes with adjudication of a separate, factually related civil case where discovery is still underway. By requiring immediate

physical changes to the property, trial court has prejudged factual issues relevant to the pending matter, violating Applicant's right to a full and fair hearing.

### III. APPLICANT WILL SUFFER IRREPARABLE HARM WITHOUT A STAY

Absent a stay, Applicant will be compelled to comply with an injunction that undermines the structural integrity of his property. More so, injunction will destroy key evidence and alter physical facts relevant to a separate action for property damage (Case No. CVPS2401619). The state trial court has set related case for trial in March 2026, and discovery remains incomplete. Enforcement of summary judgment order would severely impair Applicant's ability to defend or prosecute that case.

Additionally, the lower court, if permitted to proceed while certiorari is pending, will render Applicant's constitutional claims moot before this Court has opportunity to consider them. The Harm is not merely speculative, it is active and imminent.

## IV. GRANTING STAY WILL PRESERVE DUE PROCESS AND INTEGRITY OF LEGAL PROCESS

Requested stay would preserve status quo while this Court considers petition for certiorari Stay will not impose substantial burden on Respondent, who has already benefited from a favorable partial judgment. In contrast, denial of stay would result in irreversible harm to Applicant's property rights and interests, impede related litigation, and cast doubt on the reliability and predictability of procedural orders issued by trial courts.

Maintaining the status quo is particularly appropriate where, as here, the lower court previously instructed Applicant to seek Supreme Court review before proceeding. Public confidence in the courts is enhanced when litigants can rely on judicial guidance without fear of retroactive disregard.

A stay in this matter would ensure that neither party is prejudiced while this Court determines whether the legal questions presented warrant full review.

### CONCLUSION

In that the lower court's action threatens irreparable harm, contradicts its own procedural orders, and presents serious constitutional questions, this Court should particularly in light of the Ninth Circuit actively blocking Applicant's application for stay issue a stay of the proceedings in Case No. PSC2003087 (effective from the day Petition for Writ of Certiorari was docketed (May 22, 2025) or in the alternative the day CM-180 was filed (June 4th, 2025), pending resolution of the certiorari petition in Docket No. 24-1191.

Respectfully Submitted,

Dennis Sadorra (Pro Se)

<sup>&</sup>lt;sup>1</sup> State court's directive to submit proof of a filed certiorari petition is attached, including the rejection of Applicant's CM-180 request, all of which are documented in the court's minute orders and official docket in Riverside County Superior Court Case No. PSC2003087. Applicant respectfully requests the Court take judicial notice of Petition No. 24-1191 filed on May 22, 2025, and docketed in this Court.

**APPENDIX** 

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### Certificate of Service

I, Dennis D, Sadorra, do hereby certify that I have served a copy of the attached Emergency Application for Stay Pending Disposition of a Petition for a Writ of Certiorari on the following party, by OneLegal Service Processor, on September 1, 2025:

Kyle Lakin Delphi Counsel 74-900 California Highway 111, Suite 222, Indian Wells, CA 92210 klakin@delphillp.com

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 1, 2025.

Dennis D. Sadorra 43810 Skyward Way, LaQuinta, CA 92253

Phone: 760-880-8416





Order #26198530: eServe

Submitted: 9/1/2025 5:42 AM PT



## Complete

**MESSAGE FROM ONE LEGAL:** You are responsible for preparing a Proof of Service for this eServe. Learn more »

### **Documents**

Returned (0)

No documents are available.

Your Files (1)

Document Title	Document Type	Pages	Status
Brief	Brief	23	Uploaded

### Messages

Messages from One Legal will appear here.

### **eServe Recipients**

Name	Email	Status
Grace Gower	GGOWER@KLINEDINSTLAW.COM	Notification Sent - 9/1/2025 5:42 AM PT

Name	Email	Status
Kyle Lakin	Klakin@delphillp.com	Notification Sent - 9/1/2025 5:42 AM PT
Lakin, Kyle	klakin@delphillp.com	Notification Sent - 9/1/2025 5:42 AM PT
Michael Parme	mparme@hbblaw.com	Notification Sent - 9/1/2025 5:42 AM PT
Teresa Beck	tbeck@klinedinstlaw.com	Notification Sent - 9/1/2025 5:42 AM PT

### **Case Information**

### Court

Riverside County, Superior Court of California (Riverside-Palm Springs)

### **Number**

PSC2003087

### **Title**

STARLIGHT DUNES HOMEOWNERS ASSOCIATION vs SADORRA

### Matter / Billing Code

PSC2003087

Confirmation Receipt #33092920

**Download Invoice** 

(May take up to 24 hours to generate after order has completed.)

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# APPENDIX A – SUPERIOR COURT RECORD. COURT JUDGE REQUESTING APPLICANT TO SUBMIT PROOF OF FILED AND DOCKETED SUPREME COURT PETITION BY THE NEXT HEARING

### SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

Palm Springs Courthouse

Hearing on Motion for Summary Judgment or in the Alternative Summary Adjudication on Complaint of STARLIGHT DUNES HOMEOWNERS ASSOCIATION

## **EXHIBIT A**

03/11/2025 8:30 AM Department PS1

### PSC2003087 STARLIGHT DUNES HOMEOWNERS ASSOCIATION VS SADORRA

Honorable Kira L. Klatchko, Judge D. Elless, Courtroom Assistant Court Reporter: None

#### APPEARANCES:

STARLIGHT DUNES HOMEOWNERS ASSOCIATION [PLA] Represented by Kyle Lakin appearing remotely in Court.

SADORRA, DENNIS [DEF] Represented by Pro Per appearing remotely in Court.

This matter is being live streamed for public access.

At 09:38 AM, the following proceedings were held:

Motion by Starlight Dunes Homeowners Association regarding Motion for Summary Judgment is called for hearing.

Argument presented by Kyle Lakin.

Argument presented by Dennis Sadorra.

Continuance requested by Dennis Sadorra.

Court and counsel confer regarding status of Supreme Court filing.

Court makes the following order(s):

Hearing held and continued to 05/29/2025 at 08:30 AM in Department PS1 (Pre-disposition)

Continued - Summary Judgment hearing

If Supreme Court case is not filed and docketed by continued hearing date, the Court will move forward with the Motion for Summary Judgment.

If further continuance is requested, the Court will need evidence of case filing with Supreme Court as to not further prejudice Plaintiff based on 5 year statute.

Court further orders:

Continue (future hearing) 03/27/2025 08:30 AM Court Trial - Long Cause to 07/11/2025 at 08:30 AM in Department PS1.

Notice to be given by counsel for Plaintiff.

# APPENDIX B - CM-180 STAY REQUEST AND CONFIRMATION DOCKETED CERTIORARI

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Barnumber, and address).	CM-18
Dr. Dennis Sadorra	FOR COURT USE ONLY
43-810 Skyward Way,	
LaQuinta, CA 92253	
TELEPHONE NO: 760-8808416 FAX NO (Optional):	
E-MAIL ADDRESS (Optional) dennissadorra@amail.com	
ATTORNEY FOR (Name): N/A	EVIJIDIT D
SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE	EXHIBIT B
STREET ADDRESS 3255 E. Tahouitz Canvon Wav MAILING ADDRESS 3255 E. Tahouitz Canvon Wav	
CITY AND ZIP CODE 92282	
BRANCH NAME: PALM SPRINGS COURTHOUSE	
PLAINTIFF/PETITIONER: STARLIGHT DUNES	
DEFENDANT/RESPONDENT: DR. DENNIS SADORRA	
NOTICE OF STAY OF PROCEEDINGS	CASE NUMBER PSC 2003087
	Juose: Hon, Kira Klatchko oepr. PS1
has not appeared in this case or is not subject to the jurisdiction of this case is stayed as follows:	
a. X With regard to all perties.	A. F. W.W.
b. With regard to the following parties (specify by name and party	designation):
3. Reason for the stay:	
<ul> <li>Automatic stay caused by a filing in another court. (Attach a copy bankruptcy petition, or other document showing that the stay is in debtor, and petitioners.)</li> </ul>	errect, and snowing the court, case number,
b. Order of a federal court or of a higher California court. (Attach a c	copy of the court arder.)
c. Contractual arbitration under Code of Civil Procedure section 128 arbitration.)	11.4. (Attach a copy of the order directing
<ul> <li>Arbitration of attorney fees and costs under Business and Profess client's request for arbitration showing filing and service.)</li> </ul>	tions Code section 6201. (Attach a copy of the
e. Other	
I declare under penalty of perjury under the laws of the State of California that the	
Date: June 4, 2025	he foregoing is true and correct.
35.5 4, 2023	he foregoing is true and correct.
	he foregoing is true and correct.
Dr. Dennis Sadorra	he foregoing is true and correct.



# Supreme Court of the United States Office of the Clerk Washington, DC 20543-0001

May 22, 2025

Scott S. Harris Clark of the Court (202) 479-3011

Mr. Dennis D. Sadorra 43810 Skyward Way LaQuinta, CA 92253

Re: Dennis D. Sadorra
v. Starlight Dunes HOA, a California Nonprofit Mutual Benefit
Corporation
No. 24-1191

Dear Mr. Sadorra:

The petition for a writ of certiorari in the above entitled case was filed on October 17, 2024 and placed on the docket May 22, 2025 as No. 24-1191.

Forms are enclosed for notifying opposing counsel that the case was docketed.

Sincerely,

Scott S. Harris, Clerk

Pipa Fisher Case Analyst

Enclosures

### APPENDIX C - SUPERIOR COURT'S REJECTION OF STAY



## Exhibit C

Dennia Sadorra «denniesadorra@gmail.com»

### eFiling rejected for STARLIGHT DUNES HOMEOWNERS ASSOCIATION vs SADORRA

noreply@onelegal.com <noreply@onelegal.com> To: dennissadorra@gmail.com

Thu, Jun 12, 2025 at 8:56 AM

### eFiling Rejected by Court Clerk

Submitted. 6/5/2025 11:58 AM PT by Dennis Sadona

STARLIGHT DUNES HOMEOWNERS ASSOCIATION VS Case

SADORRA #PSC2003087

Superior Court of California, Riverside County Court

(Riverside-Palm Springs)

Client billing PSC2003087 Court transaction # 25RSCR01150475

Message from the court clerk
Unable to process Notice of Stay of Proceedings received via effing on 05/05/2025, transaction #25RSCR01150475. Upon Judicial review, Denied - No notice of stay by Supreme Court. Attach a copy of the filed document showing that the stay is in effect, and showing the court case number, debtor and

### Rejected Documents

Notice of Stay of Proceedings - Entire Case (CM-18...

### What happens next?

Review the attached Rejection Notice from the court. You can re-file corrected documents by placing a new order.

Thank you, The One Legal Team

You are receiving this error in response to an order that was placed on well arringed upon Present to not reply to the error of all induced suggest Contents by contacting Cardinate Report for the U.S. in 2400 hours McCowell Bod. Suite 500 Patterna CASSING STATES.





# APPENDIX D – U.S. DISTRICT COURT GRANTED STAY EXHIBIT D

	LODGED #:590
	CLEAR IS CHARGE COUNTY
	07/17/2025
	CONTRACTOR CALEGORIA
1	UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA
2	STARLIGHT DUNES HOMEOWNERS   Case No. 5:24-CV-00540-JGB (DTBx)
3	A SSOCIATION!
Á	Plaintiff, [PROPOSED] ORDER GRANTING
4	MOTION TO STAY PROCEEDINGS
5	PENDING REVIEW BY THE UNITED STATES SUPREME COURT
5	DR. DENNIS SADORRA, STATES SUPREME COURT
6	Defendant, Date:
7	DR. DENNIS SADORRA.
8	Cross-Claimant.
	V.
9	STARLIGHT DUNES HOMEOWNERS
	ASSOCIATION, ET AL
10	Cross-Defendants.
11	CTOST EXCENDENTS.
1.	Having considered Defendant and Cross-Claimant's Motion to Stay Proceedings Pending
12	
	Review in the United States Supreme Court, and for good cause shown, the Court finds that:
13	Defendant faces irreparable harm absent a stay. That the balance of equities favors
	preservation of the status quo; and a stay serves the public interest by allowing federal constitutional
14	issues to be fully and fairly considered.
	IT IS HEREBY ORDERED that: Defendant's Motion to Stay is GRANTED.
15	Enforcement of injunction issued by the Superior Court of California, County of Riverside is
	STAYED pending further order of this Court or final disposition of Defendant's pending Petition
16	for Writ of Certiorari before the United States Supreme Court. Effective from May 22, 2025, the
17	day Defendant's Petition for Writ of Certiorari was docketed.
18	ET IS NO ODDEDED David
	IT IS SO ORDERED. Dated:2025
19	Hon, Jesus G, Bernal United States District Judge
8 GP	
10	Central District of California

## APPENDIX E - U.S. DISTRICT COURT REVERSE DECISION DENIES EXHIBIT E

### UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES—GENERAL

	0 JGB (DTBx) Iomeowners Associal	Date tion v. Sadorra et al.	August 20, 2025
Present: The Honorable	JESUS G. BERNA	AL, UNITED STATES I	DISTRICT JUDGE
MAYNOR GAI	VEZ	Not	Reported
Deputy Cler	k		t Reporter
Attorney(s) Present for	Plaintiff(s):	Attorney(s) Pres	sent for Defendant(s):
None Preser	rt	Non	c Present

Proceedings: Order DENYING Defendant's Motion for Stay of State Court Proceedings Pending Appeal (Dkt. No. 41) (IN CHAMBERS)

Before the Court is Defendant and Cross Claimant Dennis Sadorra's Motion for Stay of State Court Proceedings Pending Appeal. (Dkt. No. 41.)

On May 30, 2024, the Court issued an order remanding this action for lack of subject matter jurisdiction and directing the Clerk to close the case. ("Remand Order," Dkt. No. 34.) The Court found that it lacked jurisdiction, as there was no federal question jurisdiction, and, all parties being citizens of California, no diversity jurisdiction either. (Id. at 7.) The Court also denied Defendant Sadorra's motion to disqualify. (Id. at 5-6.) A certified copy of the Remand Order was sent to the Riverside County Superior Court on May 31, 2024. (Dkt. No. 35.)

On June 27, 2024 Sadorra appealed the Remand Order to the Ninth Circuit. (Dkt. No. 36.) On July 19, 2024, the Court denied Sadorra's appeal because orders remanding a removed action for timeliness or jurisdiction are not reviewable. (Dkt. No. 39.) The mandate issued on August 12, 2024. (Dkt. No. 40.)

On March 11, 2025, Judge Klatchko of the Riverside County Superior Court instructed Sadorra to file proof of a Supreme Court appeal. (Motion Ex. A.) According to Plaintiff, he filed a writ of certiorari in the Supreme Court on May 22, 2025. (Motion at 2.) Subsequently, Judge White assumed the proceedings, did not stay proceedings following notice of the writ of certiorari, and entered partial summary judgment against Sadorra. (Motion at 5.) Trial in a related matter is set for March 2026. (Id.)

Sadorra now moves for this Court to stay the proceedings in state court pending resolution of his Supreme Court appeal. (Motion.)

The Court lacks jurisdiction over Defendant's Motion. On May 30, 2024, the Court remanded this action for lack of subject matter jurisdiction and a certified copy of the order was sent to the Riverside County Superior Court the next day. (Remand Order; Dkt. No. 40.) Pursuant to 28 U.S.C.A. § 1447(c), once a district court determines it lacks subject matter jurisdiction and remands the case, the state court may proceed with the case. Id. ("A certified copy of the order of remand shall be mailed by the clerk to the clerk of the State court. The State court may thereupon proceed with such case.").

The Ninth Circuit has held that district courts have no jurisdiction over a case following certification to a state court. See, e.g., Seedman v. United States District Court for Central District of Cal., 837 F.2d 413, 414 (9th Cir.1988). Seedman relies on 28 U.S.C. § 1447(d), which states that remand orders based on 28 U.S.C. § 1447(c) are not reviewable "on appeal or otherwise." See also Bucy v. Nevada Const. Co., 125 F.2d 213, 217-218 (9th Cir.1942) (stating that, in a case where the district court remanded for lack of subject matter jurisdiction, it is "unlikely that the federal court has power... to vacate an order of remand after it has been executed by the filing in the state court of a certified copy of the order.")

As such, though Defendant spends the majority of his brief discussing the standard for a stay under Rule 62(d), the Court simply lacks jurisdiction to stay state court proceedings following a remand. The case has been certified and returned to the Riverside County Superior Court. The Court cannot exercise jurisdiction over those proceedings. See also 28 U.S.C. § 2283 ("A court of the United States may not grant an injunction to stay proceedings in a State court except as expressly authorized by Act of Congress, or where necessary in aid of its jurisdiction, or to protect or effectuate its judgments.").

For the reasons stated above, the Court lacks jurisdiction and accordingly Sadorra's Motion (Dkt. No. 41) is DENIED. It is further ordered that this case will remain closed. The Court will not entertain any further filings in this closed case.

IT IS SO ORDERED.

# APPENDIX F -. NINTH CIRCUIT BLOCKS FILING OF STAY EXHIBIT F



Dennis Sadorra <dennissadorra@gmail.com>

24-1754

1 message

Thu, Aug 28, 2025 at 1:05

PM

To: "dennissadorra@gmail.com" <dennissadorra@gmail.com>

You attempted to file a document in a case that has closed and the mandate has been issued. The court will not file the document that you attempted to file.

## APPENDIX G - CASE STATUS AT THE NINTH CIRCUIT COURT OF APPEALS

## **EXHIBIT G**

### **ACMS Case Query**

### 24-1754 Sadorra v. Starlight Dunes HOA, et al.

Associated Case	Short Title	Туре	Start	End	Status
24-4006	Starlight Dunes HOA v. Sadorra, et al.	Related	06/28/2024		Closed
24-4009	Starlight Dunes HOA v. Sadorra, et al.	Related	06/28/2024		Closed

Originating Case	Lead Case	Filed	Execution Date	Judgment	NOA	Originating Judge	Court Reporter
5:24-cv-00396-JGB-DTB		02/19/2024		03/08/2024	03/18/2024	Jesus G. Bernal	

Party	Party Type	Terminated from Case	Attorney
Attorney	Party Type(s) Ro	epresented	Representation End

	PACER Ser	vice Center	
	Transactio	n Receipt	
U.S. Cou	ırt of Appeals for the 9t	h Circuit - 08/28/2025 13:	33:44
PACER Login:	dennissadorra	Client Code:	
Description:	Case Query	Search Criteria:	24-1754
Billable Pages:	[1	Cost:	0.10