

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAY 29 2026

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

MARVIN E. CARRERA,

Plaintiff - Appellant,

v.

COUNTY OF LOS ANGELES; DAVID J.  
COWAN; LATRICE A. G. BYRDSONG,

Defendants - Appellees.

No. 24-6929

D.C. No. 2:24-cv-05420-VBF-AS

MEMORANDUM\*

Appeal from the United States District Court  
for the Central District of California  
Valerie Baker Fairbank, District Judge, Presiding

Submitted May 26, 2026\*\*

Before: S.R. THOMAS, MILLER, and H.A. THOMAS, Circuit Judges.

Marvin E. Carrera appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action arising out of state court proceedings. We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Sato v. Orange*

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\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

*County Dep't of Educ.*, 861 F.3d 923, 927-28 (9th Cir. 2017) (dismissal under Fed. R. Civ. P. 12(b)(6) and decision regarding Eleventh Amendment immunity); *Sadoski v. Mosley*, 435 F.3d 1076, 1077 n.1 (9th Cir. 2006) (decision regarding judicial immunity); *Omar v. Sea-Land Serv., Inc.*, 813 F.2d 986, 991 (9th Cir. 1987) (sua sponte dismissal for failure to state a claim). We affirm.

The district court properly dismissed Carrera's claims against Judge Cowan and Commissioner Byrdsong as barred by judicial immunity and the Eleventh Amendment. *See Sadoski*, 435 F.3d at 1079 (explaining that judges are absolutely immune from suits for damages based on their judicial conduct except when acting "in the clear absence of all jurisdiction"); *Simmons v. Sacramento County Superior Ct.*, 318 F.3d 1156, 1161 (9th Cir. 2003) (explaining that the Eleventh Amendment bars suit against arms of the state, including state court employees in their official capacities); *Franceschi v. Schwartz*, 57 F.3d 828, 830 (9th Cir. 1995) (applying judicial immunity to court commissioner acting in a judicial capacity).

The district court properly dismissed Carrera's claims against the County of Los Angeles because Carrera failed to allege facts sufficient to state a plausible claim. *See Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (to avoid dismissal, "a complaint must contain sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face" (citation and internal quotation marks

omitted)).

**AFFIRMED.**