

14 Fed.Appx. 926

This case was not selected for publication in West's Federal Reporter.

See Fed. Rule of Appellate Procedure 32.1 generally governing citation of judicial decisions issued on or after Jan. 1, 2007. See also U.S.Ct. of App. 9th Cir. Rule 36-3. United States Court of Appeals, Ninth Circuit.

Geral Wayne **SOSBEE**, Plaintiff–Appellant,

v.

UNITED STATES DEPARTMENT OF JUSTICE; et al., Defendants–Appellees.

No. 00–56179.

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D.C. No. CV–00–05910–R.

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Submitted July 9, 2001.*

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Decided July 23, 2001.

Synopsis

Plaintiff asserted constitutional violations by United States Department of Justice, Federal Bureau of Investigation, and individual federal agents in their official and individual capacities, alleging a terrorist campaign against him that included home invasions, car invasions, and chemical plantings in his food. The United States District Court for the Central District of California, [Manuel L. Real, J.](#), dismissed the action with prejudice. Plaintiff appealed. The Court of Appeals held that: (1) agencies, and individual defendants in their official capacities, were immune from the suit, and (2) allegations did not support an action against the agents in their individual capacities.

Affirmed.

West Headnotes (2)

- [1] **Public Employment** 🔑 Particular torts
United States 🔑 Justice Department;
Attorney General

United States 🔑 Privilege or immunity; good faith

United States Department of Justice, Federal Bureau of Investigation, and individual federal agents in their official capacities were immune from suit for constitutional violations, brought by plaintiff who alleged a terrorist campaign against him that included home invasions, car invasions, and chemical plantings in his food.

- [2] **United States** 🔑 Personal involvement; vicarious liability and respondeat superior

Federal agents, in their individual capacities, were not liable for the alleged terrorist campaign against plaintiff, which allegedly included home invasions, car invasions, and chemical plantings in plaintiff's food, where plaintiff did not allege individual defendants' personal involvement in the constitutional deprivation or a sufficient causal connection between their wrongful conduct and the constitutional violation.

2 Cases that cite this headnote

*926 Appeal from the United States District Court for the Central District of California [Manuel L. Real](#), District Judge, Presiding.

Before [KOZINSKI](#), [T.G. NELSON](#), and [TALLMAN](#), Circuit Judges.

MEMORANDUM**

**1 Geral Wayne [Sosbee](#) appeals pro se the district court's order dismissing his action with prejudice and denying his motion for a preliminary injunction. [Sosbee's](#) action alleged that defendants waged a terrorist campaign against him that included home invasions, car invasions, and chemical plantings in his food. We have jurisdiction pursuant to 28 U.S.C. § 1291. We review de novo dismissals of complaints without leave to amend. *Whittington v. Whittington*, *927 733 F.2d 620, 621 (9th Cir.1984). We review for abuse of discretion a grant or denial of a preliminary injunction.

Gorbach v. Reno, 219 F.3d 1087, 1091 (9th Cir.2000) (en banc). We affirm.

[1] The district court did not err in dismissing **Sosbee's** claims against the United States Department of Justice, the Federal Bureau of Investigation, and the individual defendants in their official capacities because agencies of the United States and federal agents in their official capacities are immune from suit for constitutional violations. See *Vaccaro v. Dobre*, 81 F.3d 854, 857 (9th Cir.1996).

[2] The district court did not err in dismissing **Sosbee's** claims against the individual defendants in their individual capacities because **Sosbee** did not allege their personal involvement in the constitutional deprivation, or a sufficient

causal connection between their wrongful conduct and the constitutional violation. See *Hansen v. Black*, 885 F.2d 642, 646 (9th Cir.1989).

The district court did not abuse its discretion in denying **Sosbee's** motion for a preliminary injunction. See *Foti v. City of Menlo Park*, 146 F.3d 629, 634 (9th Cir.1998).

Sosbee's remaining contentions are considered and rejected.

AFFIRMED.

All Citations

14 Fed.Appx. 926, 2001 WL 827647

Footnotes



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

** This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as may be provided by 9th Cir. R. 36–3.

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Filings (4)

Title	PDF	Court	Date	Type
<p>1. Appellees' Brief Geral Wayne SOSBEE, Plaintiff/Appellant, v. UNITED STATES DEPARTMENT OF JUSTICE; Federal Bureau of Investigation; Janet Reno in her official capacity; Louis Freeh, in his official and individual capacities James Desarno in his official and individual capacities; Does 1 through X in their official and individual capacities, Defendants/Appellees. 2000 WL 33985757</p>		C.A.9	Dec. 26, 2000	Brief
<p>2. Petition for Writ of Certiorari Geral Wayne SOSBEE, Petitioner, v. UNITED STATES DEPARTMENT OF JUSTICE; Federal Bureau of Investigation; Janet Reno, In her official capacity; Louis Freeh, in his official capacity and individual capacity; James Desarno, in his official capacity and individual capacity, Respondents. 2001 WL 34116008</p>		U.S.	July 30, 2001	Petition
<p>3. Docket 01-182 GERAL WAYNE SOSBEE v. DEPARTMENT OF JUSTICE, ET AL.</p>	—	U.S.	July 31, 2001	Docket
<p>4. Docket 00-56179 SOSBEE v. U.S. DEPT. OF JUSTIC, ET AL</p>	—	C.A.9	July 13, 2000	Docket

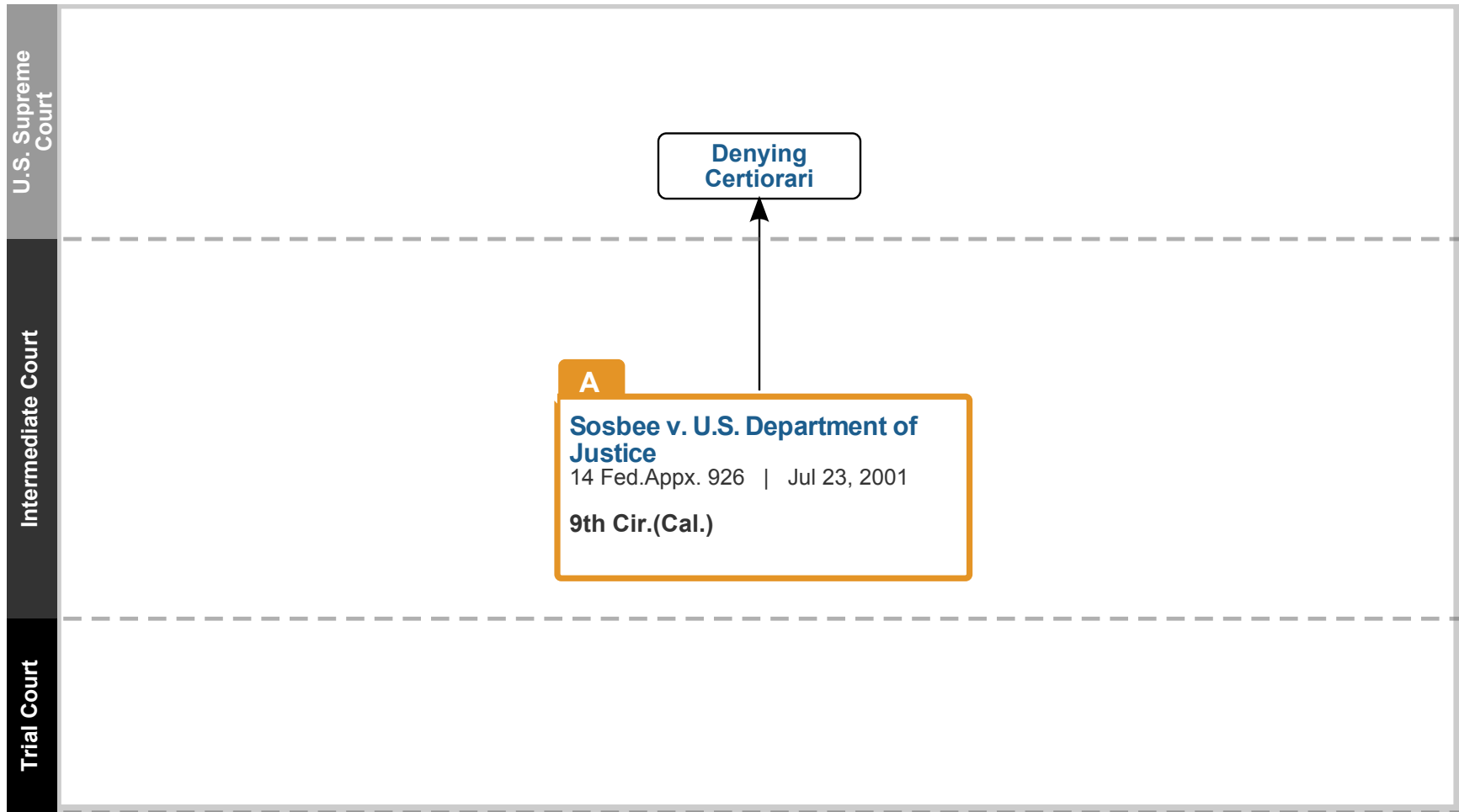
History (2)

Direct History (2)

1. [Sosbee v. U.S. Department of Justice](#) 
14 Fed.Appx. 926 , 9th Cir.(Cal.) , July 23, 2001

Certiorari Denied by

2. [Sosbee v. Department of Justice](#)
534 U.S. 894 , U.S. , Oct. 01, 2001



Citing References (2)











Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	<p>1. Hirano v. Sand Island Treatment Center ”</p> <p>2021 WL 243437, *8 , D.Hawai'i</p> <p>Before the Court is pro se Plaintiff Douglas A. Hirano's ("Hirano") Verified Amended Complaint (First Amended Complaint or "FAC") brought pursuant to Bivens v. Six Unknown Named...</p>	Jan. 25, 2021	Case		<p>2</p> <p>Fed.Appx.</p>
Cited by	<p>2. Hirano v. Sand Island Treatment Center ”</p> <p>2021 WL 54504, *7 , D.Hawai'i</p> <p>Before the Court is pro se Plaintiff Douglas A. Hirano's ("Hirano") Verified Complaint ("Complaint") brought pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of...</p>	Jan. 06, 2021	Case		<p>2</p> <p>Fed.Appx.</p>

Table of Authorities (5)

Treatment	Referenced Title	Type	Depth	Quoted	Page Number
Cited	<p> 1. Foti v. City of Menlo Park</p> <p>146 F.3d 629, 9th Cir.(Cal.), 1998</p> <p>Anti-abortion picketers challenged constitutionality of city ordinance regulating picketing, leafletting, and displaying of signs on public property, seeking declaratory and...</p>	Case			927
Cited	<p> 2. Gorbach v. Reno</p> <p>219 F.3d 1087, 9th Cir.(Wash.), 2000</p> <p>IMMIGRATION - Denaturalization. Attorney General could not revoke naturalization through administrative proceedings.</p>	Case			927
Cited	<p> 3. Hansen v. Black</p> <p>885 F.2d 642, 9th Cir.(Idaho), 1989</p> <p>Arrestee brought civil rights action against police officers, city prosecutor and city police chief. The United States District Court for the District of Idaho, Marion J...</p>	Case			927
Cited	<p>4. Vaccaro v. Dobre</p> <p>81 F.3d 854, 9th Cir.(Nev.), 1996</p> <p>Prison inmate who was injured while working in prison filed Bivens action, which is action brought against federal officials in their individual capacities, against correctional...</p>	Case			927
Cited	<p>5. Whittington v. Whittington</p> <p>733 F.2d 620, 9th Cir.(Cal.), 1984</p> <p>Former husband brought declaratory judgment action against former wife attacking California state court's community property division of his military retirement pay. The United...</p>	Case			926

Negative Treatment

There are no Negative Treatment results for this citation.