

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Cisneros v. Rowland

No. 1:24-cv-01070-JLT-EPG (PC) (E.D. Cal. Apr. 22, 2025) · No. 1:24-cv-01070-JLT-EPG (PC) · Decided April 22, 2025

SUMMARY

The United States District Court for the Eastern District of California recommends that Matthew Cisneros’s § 1983 action proceed only on his Eighth Amendment excessive-force claim against correctional officers Rowland, Marroquin, and Garcia. The document recommends dismissal of the deliberate-indifference, conditions-of-confinement, personal-property, retaliation, and related claims and defendants, and permits objections within thirty days.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	April 22, 2025
DOCKET	1:24-cv-01070-JLT-EPG (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Screening of a pro se prisoner civil-rights complaint under 28 U.S.C. §§ 1915A and 1915(e)(2), followed by findings and recommendations after Plaintiff elected to stand on his original complaint.
STANDARD OF REVIEW	For prisoner and in forma pauperis screening, the complaint must be dismissed if it is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant. Under Federal Rule of Civil Procedure 8 and the plausibility standard, conclusory allegations and threadbare recitals of elements are insufficient, while factual allegations are accepted as true and liberally construed for a pro se plaintiff.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- prisoners rights
- section 1983
- civil rights
- cruel and unusual punishment
- due process

PRACTICE AREAS

prisoner civil rights

constitutional torts

federal civil procedure

QUESTIONS PRESENTED

1. Whether the complaint stated a cognizable Eighth Amendment excessive-force claim against correctional officers Garcia, Rowland, and Marroquin.
2. Whether the allegations stated an Eighth Amendment deliberate-indifference claim based on delayed or inadequate medical treatment and unsanitary holding-cell conditions.
3. Whether the alleged loss or deprivation of personal property stated a Fourteenth Amendment due-process claim under 42 U.S.C. § 1983.
4. Whether the alleged property deprivation stated a First Amendment retaliation claim.

HOLDINGS

1. The allegations that Garcia, Rowland, and Marroquin threw Plaintiff to the ground, handcuffed him, and repeatedly punched and kicked him despite his compliance were sufficient at the screening stage to state Eighth Amendment excessive-force claims against those three defendants.
2. The complaint failed to state an Eighth Amendment deliberate-indifference claim against Alvarado, Patel, or Brown.
3. The allegation that Plaintiff spent approximately one hour in a holding cage without means to clean his wounds did not state an Eighth Amendment conditions-of-confinement claim.
4. The alleged negligent or intentional loss of Plaintiff's personal property did not state a § 1983 procedural due-process claim because California provides an adequate post-deprivation remedy.
5. The complaint failed to state a First Amendment retaliation claim because it did not allege facts connecting the property deprivation to Plaintiff's appeal of the use-of-force incident.

KEY QUOTATIONS

“whenever prison officials stand accused of using excessive physical force in violation of the [Eighth Amendment], the core judicial inquiry is . . . whether force was applied in a good-faith effort to maintain or restore discipline, or maliciously and sadistically to cause harm.” (at 8)

“This case proceeds on the claim for excessive use of force against Defendants Rowland, Marroquin, and Garcia” (at 11)

FACTUAL BACKGROUND

Matthew Cisneros, a state prisoner at Kern Valley State Prison, alleged that on July 8, 2020, correctional officers Garcia, Rowland, and Marroquin stopped and searched him, threw him to the ground, handcuffed him, and repeatedly punched and kicked him despite his compliance and pleas to stop. He also alleged that medical personnel provided inadequate or delayed treatment after the incident and that he was temporarily deprived of personal property when placed in administrative segregation on July 8, 2020, and June 29, 2021. The Court

concluded that the allegations stated an excessive-force claim but did not state claims for deliberate indifference, unconstitutional conditions, property deprivation, or retaliation.

PROCEDURAL HISTORY

Plaintiff filed an in forma pauperis action under 42 U.S.C. § 1983 alleging excessive force, deliberate indifference to medical needs, unconstitutional conditions of confinement, deprivation of personal property, and retaliation. The Court screened the complaint on March 7, 2025, found only the excessive-force claim cognizable, and gave Plaintiff leave to amend or elect to proceed on that claim. Plaintiff notified the Court on April 2, 2025, that he wished to stand on his initial complaint. The magistrate judge recommended allowing the excessive-force claim against Rowland, Marroquin, and Garcia to proceed and dismissing all other claims and defendants, subject to objections.

DISPOSITION

other

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 676-79 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Doe I v. Wal-Mart Stores, Inc., 572 F.3d 677, 681 (9th Cir. 2009)
- Hebbe v. Pliler, 627 F.3d 338, 342 (9th Cir. 2010)
- Graham v. Connor, 490 U.S. 386, 393-94 (1989)
- Baker v. McCollan, 443 U.S. 137, 144 n.3 (1979)
- Chapman v. Houston Welfare Rights Org., 441 U.S. 600, 618 (1979)
- Hall v. City of Los Angeles, 697 F.3d 1059, 1068 (9th Cir. 2012)
- Crowley v. Nevada, 678 F.3d 730, 734 (9th Cir. 2012)
- Anderson v. Warner, 451 F.3d 1063, 1067 (9th Cir. 2006)
- Long v. County of Los Angeles, 442 F.3d 1178, 1185 (9th Cir. 2006)
- Marsh v. County of San Diego, 680 F.3d 1148, 1158 (9th Cir. 2012)
- Johnson v. Duffy, 588 F.2d 740, 743-44 (9th Cir. 1978)
- Arnold v. International Business Machines Corp., 637 F.2d 1350, 1355 (9th Cir. 1981)
- Harper v. City of Los Angeles, 533 F.3d 1010, 1026 (9th Cir. 2008)
- Monell v. Department of Social Services of City of New York, 436 U.S. 658, 691, 695 (1978)
- Farmer v. Brennan, 511 U.S. 825, 832, 837 (1994)
- Hudson v. McMillian, 503 U.S. 1, 6-7, 9 (1992)
- Bearchild v. Cobban, 947 F.3d 1130, 1141 (9th Cir. 2020)
- Furnace v. Sullivan, 705 F.3d 1021, 1028 (9th Cir. 2013)
- Jett v. Penner, 439 F.3d 1091, 1096 (9th Cir. 2006)
- Estelle v. Gamble, 429 U.S. 97, 104 (1976)

- *Hallet v. Morgan*, 296 F.3d 732, 744 (9th Cir. 2002)
- *Toguchi v. Chung*, 391 F.3d 1051, 1057 (9th Cir. 2004)
- *Peralta v. Dillard*, 744 F.3d 1076, 1086 (9th Cir. 2014)
- *McGuckin v. Smith*, 974 F.2d 1050, 1060 (9th Cir. 1992)
- *WMX Technologies v. Miller*, 104 F.3d 1133 (9th Cir. 1997) (en banc)
- *Johnson v. Lewis*, 217 F.3d 726, 731 (9th Cir. 2000)
- *Anderson v. County of Kern*, 45 F.3d 1310, 1314 (9th Cir. 1995)
- *Wilson v. Seiter*, 501 U.S. 294, 298 (1991)
- *Lavan v. City of Los Angeles*, 693 F.3d 1022, 1031 (9th Cir. 2012)
- *Barnett v. Centoni*, 31 F.3d 813, 816-17 (9th Cir. 1994)
- *Hudson v. Palmer*, 468 U.S. 517, 533 (1984)
- *Manzanillo v. Jacquez*, 555 F. App'x 651 (9th Cir. 2014)
- *Cousins v. Lockyer*, 568 F.3d 1063, 1070 (9th Cir. 2009)
- *Rhodes v. Robinson*, 408 F.3d 559, 567-68 (9th Cir. 2005)
- *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014)
- *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991)

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