

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Eric X. Murillo v. West County Detention Facility Medical

Case No. 25-cv-09541-RFL · No. 25-cv-09541-RFL · Decided December 16, 2025

SUMMARY

The United States District Court for the Northern District of California dismissed Eric Murillo’s 42 U.S.C. § 1983 complaint against West County Detention Facility Medical with leave to amend. The court held that the complaint did not adequately allege a policy, practice, or custom sufficient to support municipal liability under Monell. The court ordered any amended complaint to be filed by January 23, 2026, and warned that failure to comply could result in dismissal under Federal Rule of Civil Procedure 41(b).

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Rita F. Lin
JURISDICTION	United States District Court for the Northern District of California
DECIDED	December 16, 2025
DOCKET	25-cv-09541-RFL
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se detainee's 42 U.S.C. § 1983 complaint was screened under 28 U.S.C. § 1915A and dismissed with leave to amend.
STANDARD OF REVIEW	Preliminary screening under 28 U.S.C. § 1915A; the court accepts adequately pleaded factual allegations as true, liberally construes pro se pleadings, and dismisses claims that are frivolous, malicious, fail to state a claim, or seek relief from an immune defendant.
PRECEDENTIAL VALUE	Unpublished district court order; not precedential
PARTIES	Eric X. Murillo v. West County Detention Facility Medical

TOPICS

- municipal liability
- section 1983
- prisoners rights
- pleadings
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the complaint stated a cognizable claim under 42 U.S.C. § 1983 when it alleged inadequate medical care but did not identify a municipal policy, practice, or custom that caused the constitutional violation.
2. Whether the complaint should be dismissed under 28 U.S.C. § 1915A for failure to state a claim and whether leave to amend should be granted.

HOLDINGS

1. A plaintiff cannot state a Monell claim against a county or county agency merely by alleging inadequate medical care; the plaintiff must identify the constitutional right violated, identify and describe the municipality's policy, practice, or custom, and explain how that policy, practice, or custom was the moving force behind the injury.
2. A complaint subject to § 1915A screening must allege sufficient factual matter to state a plausible claim for relief, and a complaint that fails to state a claim must be dismissed.

KEY QUOTATIONS

“To establish that the county jail should be held liable under Monell, Plaintiff must identify the rights violated by that agency’s policy or practice, provide details on that policy or practice, and explain how the policy or practice specifically caused his injuries.” (Discussion § C)

FACTUAL BACKGROUND

Murillo, a detainee at Martinez Detention Facility, alleged that he informed jail medical personnel about a shoulder injury and pain caused in part by the thin mattress provided to him. He claimed that resulting sleep deprivation caused headaches and migraines and interfered with eating, exercising, and other simple tasks. He alleged that he repeatedly sought assistance but received no adequate response, and he attempted to sue the county jail under Monell.

PROCEDURAL HISTORY

Murillo, proceeding in forma pauperis and pro se, filed a civil-rights complaint concerning allegedly inadequate medical care and sought to impose liability on the county jail under Monell. The district court conducted preliminary screening under 28 U.S.C. § 1915A, found that the complaint did not allege a municipal policy, practice, or custom causing the alleged constitutional violation, and dismissed the complaint with leave to amend by January 23, 2026.

DISPOSITION

dismissed

CASES CITED

- *Balistreri v. Pacifica Police Department*, 901 F.2d 696, 699 (9th Cir. 1988)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 556, 570 (2007)
- *Clegg v. Cult Awareness Network*, 18 F.3d 752, 754-55 (9th Cir. 1994)
- *West v. Atkins*, 487 U.S. 42, 48 (1988)
- *Monell v. Department of Social Services*, 436 U.S. 658 (1978)
- *Oviatt By and Through Waugh v. Pearce*, 954 F.2d 1470, 1474 (9th Cir. 1992)
- *City of Canton v. Harris*, 489 U.S. 378, 389 (1989)
- *Gordon v. Orange County*, 6 F.4th 961, 974 (9th Cir. 2021)
- *City of Oklahoma City v. Tuttle*, 471 U.S. 808, 823-24 (1985)
- *Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir. 1992)

OPINION

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA ERIC X. MURILLO, Case No. 25-cv-09541-RFL Plaintiff, ORDER DISMISSING COMPLAINT v. WITH LEAVE TO AMEND WEST COUNTY DETENTION FACILITY MEDICAL, Defendant. INTRODUCTION Eric Murillo, a detainee at Martinez Detention Facility, proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. § 1983.

Plaintiff has been granted leave to proceed in forma pauperis. The complaint is now before the Court for review pursuant to 28 U.S.C. § 1915A(a). The complaint is DISMISSED with leave to file an amended complaint on or before January 23, 2026. Failure to file a proper amended complaint by that date, or a failure to comply in every respect with the instructions given in this order, will result in the dismissal of this suit under Rule 41(b) for failure to prosecute.

DISCUSSION A. Standard of Review A federal court must conduct a preliminary screening in any case in which a prisoner seeks redress from a governmental entity or officer or employee of a governmental entity. See 28 U.S.C. § 1915A(a).

In its review, a court must identify any cognizable claims and dismiss any claims that are frivolous, malicious, fail to state a claim upon which relief may be granted or seek monetary relief from a defendant who is immune from such relief. See *id.* § 1915A(b)(1), (2). Pro se pleadings must be liberally construed. See *Balistreri v. Pacifica Police Dep’t*, 901 F.2d 696, 699 (9th Cir.

1988). A “complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007)). “A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Id.* (quoting *Twombly*, 550 U.S. at 556).

Furthermore, a court “is not required to accept legal conclusions cast in the form of factual allegations if those conclusions cannot reasonably be drawn from the facts alleged.” *Clegg v. Cult Awareness Network*, 18 F.3d 752, 754-55 (9th Cir. 1994).

To state a claim under 42 U.S.C. § 1983, a plaintiff must allege two essential elements: (1) that a right secured by the Constitution or laws of the United States was violated, and (2) that the alleged violation was committed by a person acting under the color of state law. See *West v. Atkins*, 487 U.S. 42, 48 (1988). B. Plaintiff’s Allegations Plaintiff alleges as follows: He informed medical personnel at the jail that he had a shoulder injury and pain that was causing sleep deprivation due to the thin mattress he was provided.

(Dkt. No. 1 at 2.) The sleep deprivation caused headaches and migraines and made it difficult to complete simple tasks such as eating and exercising. (Id. at 3.) Plaintiff repeatedly sought assistance from medical personnel for his pain and medical issues, but there was never an adequate response. (Id.) Plaintiff seeks relief against the county jail, pursuant to *Monell v. Dep’t of Soc.*

Servs., 436 U.S. 658 (1978). (Id. at 1.) C. Analysis To impose municipal liability under *Monell* for a violation of constitutional rights resulting from governmental inaction or omission, a plaintiff must show: “(1) that he possessed a constitutional right of which he or she was deprived; (2) that the municipality had a policy; (3) that this policy amounts to deliberate indifference to the plaintiff’s constitutional rights; and (4) that the policy is the moving force behind the constitutional violation.” *Oviatt By and Through Waugh v. Pearce*, 954 F.2d 1470, 1474 (9th Cir.

1992) (quoting *City of Canton v. Harris*, 489 U.S. 378, 389 (1989)) (internal quotation marks omitted). If a plaintiff cannot identify an unconstitutional policy of the government agency, the plaintiff must “produce evidence creating a triable issue of fact regarding the existence of an unconstitutional practice or custom.” *Gordon v. Orange County*, 6 F.4th 961, 974 (9th Cir.

2021) (no custom or practice was shown where the record lacked evidence of any other event involving similar conduct or constitutional violations). “[A] single incident of unconstitutional activity is not sufficient to impose liability under *Monell*.” *City of Oklahoma City v. Tuttle*, 471 U.S. 808, 823-24 (1985). Plaintiff presents no allegations that the county jail had a policy, practice, or custom that was a moving force behind the alleged constitutional violation.

Plaintiff cannot present a *Monell* claim, by simply stating that he received inadequate medical care. To establish that the county jail should be held liable under *Monell*, Plaintiff must identify the rights violated by that agency’s policy or practice, provide details on that policy or practice, and explain how the policy or practice specifically caused his injuries.

CONCLUSION The complaint is **DISMISSED** with leave to file an amended complaint on or before January 23, 2026. The amended complaint must include the caption and civil case number

used in this order (25-9541 RFL (PR)) and the words FIRST AMENDED COMPLAINT on the first page.

The first amended complaint must also appear on this Court's form, a copy of which will be sent to him. Because an amended complaint completely replaces the previous complaints, Plaintiff must include in his amended complaint all the claims he wishes to present and all of the Defendants he wishes to sue. See *Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir.

1992). Plaintiff may not incorporate material from any prior complaint by reference. Failure to file an amended complaint in accordance with this order will result in dismissal of this action under Federal Rule of Civil Procedure 41(b) without further notice to Plaintiff. It is Plaintiff's responsibility to prosecute this case. Plaintiff must keep the Court informed of any change of address by filing a separate paper with the clerk headed "Notice of Change of Address." He must comply with the Court's orders in a timely fashion or ask for an extension of time to do so.

Failure to comply may result in the dismissal of this action pursuant to Federal Rule of Civil Procedure 41(b). IT IS SO ORDERED. Dated: December 16, 2025 RITA F. LIN United States District Judge