

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Mujaahid F. Harris v. O. Valladolid, et al.

Harris v. Valladolid · No. 1:23-cv-01502-JLT-EPG (PC) · Decided December 23, 2025

OPINION

Valladolid

PER CURIAM.

1 2 3 4

5 UNITED STATES DISTRICT COURT

6 EASTERN DISTRICT OF CALIFORNIA

7 8 MUJAAHID F. HARRIS, Case No. 1:23-cv-01502-JLT-EPG (PC) 9 Plaintiff, FINDINGS
AND RECOMMENDATIONS

10 RECOMMENDING THAT CORRECTIONAL

v.

OFFICER DEFENDANTS' MOTION FOR

11 SUMMARY JUDGMENT REGARDING

O. VALLADOLID, et al.,

12 EXHAUSTION OF ADMINISTRATIVE

Defendants. REMEDIES BE DENIED 13 (ECF No. 39) 14

15 OBJECTIONS, IF ANY, DUE WITHIN THIRTY

DAYS

16 Plaintiff Mujaahid F. Harris is proceeding pro se and in forma pauperis in this civil 17 rights
action filed pursuant to 42 U.S.C. § 1983. Plaintiff's First Amended Complaint arises 18 from
events on September 13, 2022,1 while he was in the custody of the California Department 19 of
Corrections and Rehabilitation ("CDCR") at California State Prison ("CSP"), Corcoran. 20 (ECF
No. 8, at pp. 2-4). Plaintiff's First Amended Complaint proceeds on Plaintiff's Eighth 21
Amendment excessive force claims against Defendants Valladolid, Ramirez, Forbes, and 22
Patrick, and Eighth Amendment failure to protect claims against Defendants Butler and Osmer. 23
(ECF No. 9). 24 /// 25 26 1 In his initial complaint, Plaintiff alleges that the incident occurred on
September 13, 2022. (ECF No. 27 1, p. 5). However, in his First Amended Complaint, Plaintiff
states that the incident took place on September 18, 2022. In his underlying grievance no. 307260,
Plaintiff reported the incident took place 28 on September 13, 2022 (ECF No. 39-5, p. 10), and
Defendants state the same. (ECF No. 39-4, p. 3). As such, the Court will use September 13, 2022,
as the incident date. 1 Before the Court is a motion for summary judgment filed by Defendants
Ramirez, 2 Forbes, Patrick, Butler, and Osmer ("Correctional Officer Defendants"). Correctional

Officer 3 Defendants argue that Plaintiff failed to exhaust administrative remedies before filing this 4 lawsuit against them. (ECF No. 39).² 5 For the following reasons, the Court will recommend that Correctional Officer 6 Defendants' motion for summary judgment be denied.

7 I. PLAINTIFF'S COMPLAINT

8 This case proceeds on Plaintiff's First Amended Complaint filed on February 2, 2024. 9 (ECF No. 8). Plaintiff alleges as follows: 10 Following a failed left "shoulder replacement," Plaintiff has permanent "special 11 cuffing" requirements using waist chains. (Id., at p. 3). Despite this, on September 13, 2022, 12 Officer Valladolid wrenched Plaintiff's left arm behind his back. (Id.). At the time, Plaintiff 13 was holding his left arm to his chest while Officers Valladolid and Ramirez tried to pull 14 Plaintiff's arms apart. (Id.). Officer Valladolid was on Plaintiff's left, and Officer Ramirez 15 was on Plaintiff' right. (Id.). Officer Patrick was at Plaintiff's legs, pressing on his lower back. 16 (Id.). While he was in the prone position, Officer Forbes was near Plaintiff's head, pressing 17 down on Plaintiff's upper back and neck and using his free hand to pull Plaintiff's arm out from 18 underneath Plaintiff's body. (Id. at 3, 5). 19 Plaintiff yelled and pleaded with the officers, telling them that he cannot put his arms 20 behind his back and that he is "special cuff" due to his shoulder impairment. (Id., at p. 5). 21 Plaintiff pleaded with Sergeants Butler and Osmer to intervene before Officers Valladolid, 22 Ramirez, Patrick and Forbes caused more damage to Plaintiff's arm. (Id.). 23 Plaintiff was led to believe that special cuffs would be used because Sergeant Butler 24 instructed Officer Patrick to get the chains. (Id.). Plaintiff was asked to put his arms to the 25 side, and he reiterated that he could not put his arms behind him. (Id.). Someone said, "okay, 26 okay," but when Plaintiff released his grip, Officer Valladolid wrenched Plaintiff's left arm 27 28 2 Defendant Valladolid concedes that Plaintiff's claims against him have been exhausted. 1 back and up behind his back, toward his shoulder blades. (Id.). As a result of this incident, 2 Plaintiff has permanent nerve damage in his left arm and shoulder. (Id.). 3 Following the Court's Screening Order, Plaintiff proceeds on Eighth Amendment 4 excessive force claims against Defendants Valladolid, Ramirez, Forbes, and Patrick and Eighth 5 Amendment failure to protect claims against Defendants Butler and Osmer. (ECF No. 9, at p. 6 9).

7

II. CORRECTIONAL OFFICER DEFENDANTS' MOTION FOR SUMMARY

8

JUDGMENT

9 A. Correctional Officer Defendants' Motion and Arguments 10 On April 16, 2025, Correctional Officer Defendants filed a motion for summary 11 judgment, arguing Plaintiff failed to exhaust administrative remedies against them because, 12 with the exception of Officer Valladolid, Plaintiff failed to identify the correctional officers by 13 name in his grievance. (ECF No. 39). 14

1. Plaintiff's Grievances

15 Correctional Officer Defendants state that Plaintiff filed three grievances related to the 16 incident: the first on September 21, 2022 (grievance no. 307260), the second on October 11, 17

2022 (grievance no. 315311), and the third on October 18, 2022 (grievance no. 317948). (ECF 18 No. 39-5, at ¶7). Correctional Officer Defendants admit that Plaintiff properly exhausted his 19 first grievance no. 307260. (ECF No. 39-1, at pp. 10-13). 20 As for the other two grievances, Defendants argue that Plaintiff's second grievance (no. 21 315311) addressed his Serious Rules Violation Report ("RVR") following the incident and was 22 rejected as concerning "an anticipated policy, decision, action, condition or omission by the 23 Department or departmental staff." (ECF No. 39-5, at pp. 14-16). Plaintiff's third grievance 24 (no. 317948) alleged excessive force used against him in separate incidents on November 15, 25 2020, May 2, 2022, and by Officer Valladolid on September 13, 2022. (Id., at pp. 21-25). His 26 third grievance was rejected on all three claims for being substantially duplicative of prior 27 claims. (Id., at pp. 26-27). 28 ///

1 2. Grievance No. 307260 2 Correctional Officer Defendants argue that, while grievance no. 307260 identified 3 Officer Valladolid by name, Plaintiff did not identify any of the Correctional Officer 4 Defendants by name. (Id., at pp. 10-13). They argue that "[p]rison officials...were not put on 5 notice about [Plaintiff's] current complaints against Ramirez, Forbes, Patrick, Osmer, and 6 Butler." (Id., at p. 12). Accordingly, Correctional Officer Defendants argue that Plaintiff failed 7 to exhaust his administrative remedies against them, and the case should be dismissed against 8 them and proceed solely against Officer Valladolid. (Id., at pp. 12, 14). 9 B. Plaintiff's Opposition 10 On May 23, 2025, Plaintiff filed his opposition to Correctional Officer Defendants' 11 motion for summary judgment. (ECF No. 50). Plaintiff asserts that he filed only two 12 grievances related to the incident, including the first grievance no. 307260 and the second 13 grievance no. 315311. (Id., at p. 3 (Plaintiff's letter received by the CDCR on October 18, 14 2022, should not have been considered a grievance; "Plaintiff did not submit grievance 15 317948.")). 16 Turning to the first grievance no. 307260, Plaintiff argues that he sufficiently put the 17 prison on notice of his claims. Plaintiff argues that he "accused Officer Valladolid, the 2nd 18 officer, the two [r]esponding officers, and the sgt. [Sergeant] of 'Assault and Excessive 19 Force....'" (Id., at p. 3). Plaintiff argues that he did not know the names of the Correctional 20 Officer Defendants described in his grievance until he was served with the RVR and incident 21 package following the incident. (Id., at pp. 4, 6). Plaintiff now argues that in "Line Two [of 22 his grievance], I refer to 'the 2nd officer (Ramirez), Line 14, I refer to Ramirez as the other 23 officer (only two officers work the floor)...I refer to Forbes and Patrick as the responding 24 officers in Line 9 [through] 15...' someone put leg chains on me' refers to Patrick, Line 25 25 refers to Ramirez, Forbes and Patrick." (Id., at pp. 5-6). With these descriptions, Plaintiff 26 27 28 1 argues that he sufficiently put the prison on notice of his claims and exhausted his 2 administrative remedies as to the Correctional Officer Defendants. (Id., at p. 6).3

3 III. LEGAL STANDARDS

4 A. Summary Judgment 5 Summary judgment in favor of a party is appropriate when there "is no genuine dispute 6 as to any material fact and the movant is entitled to judgment as a matter of law." Fed. R. Civ. 7 P. 56(a); *Albino v. Baca*, 747 F.3d 1162, 1169 (9th Cir. 2014) (en banc) ("If

there is a genuine dispute about material facts, summary judgment will not be granted.”). A party asserting that a fact cannot be disputed must support the assertion by citing to particular parts of materials in the record, including depositions, documents, electronically stored information, affidavits or declarations, stipulations (including those made for purposes of the motion only), admissions, interrogatory answers, or other materials, or showing that the materials cited do not establish the absence or presence of a genuine dispute, or that an adverse party cannot produce admissible evidence to support the fact.” 14 Fed. R. Civ. P. 56(c)(1)(A)-(B). 15 “A party moving for summary judgment “bears the initial responsibility of informing the district court of the basis for its motion, and identifying those portions of ‘the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any,’ which it believes demonstrate the absence of a genuine issue of material fact.” Celotex Corp. v. Catrett, 477 U.S. 317, 323 (1986) (quoting Fed. R. Civ. P. 56(c)). “Where the non-moving party bears the burden of proof at trial, the moving party need only prove that there is an absence of evidence to support the non-moving party’s case.” In re Oracle Corp. Sec. Litig., 627 F.3d 376, 387 (9th Cir. 2010). If the moving party does so, “the burden then shifts to the non-moving party to designate specific facts demonstrating the existence of genuine issues for trial,” which is not a light burden, the party “must come forth with evidence from which a jury could reasonably render a verdict in the non-moving party’s favor.” In re Oracle Corp. Sec. Litig., 627 F.3d at 28 3 Correctional Officer Defendants did not file a reply brief. 1 387; see also Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 247–48 (1986) (“the mere existence of some alleged factual dispute between the parties will not defeat an otherwise properly supported motion for summary judgment”); C.A.R. Transp. Brokerage Co. v. Darden Restaurants, Inc., 213 F.3d 474, 480 (9th Cir. 2000) (“A motion for summary judgment may not be defeated, however, by evidence that is merely colorable or is not significantly probative.”) (citation and internal quotation marks omitted); Nissan Fire & Marine Ins. Co. v. Fritz Companies, Inc., 210 F.3d 1099, 1103 (9th Cir. 2000) (“If the nonmoving party fails to produce enough evidence to create a genuine issue of material fact, the moving party wins the motion for summary judgment.”). 10 “All reasonable inferences must be drawn in the nonmoving party's favor, but such ‘inferences are limited to those upon which a reasonable jury might return a verdict.’” Triton Energy Corp. v. Square D Co., 68 F.3d 1216, 1220 (9th Cir. 1995); see also Scott v. Harris, 550 U.S. 372, 380 (2007) (“At the summary judgment stage, facts must be viewed in the light most favorable to the nonmoving party only if there is a ‘genuine’ dispute as to those facts.”). 15 B. Exhaustion Under the Prison Litigation Reform Act

16 Section 1997e(a) of the Prison Litigation Reform Act of 1995 (“PLRA”) provides that 17 “[n]o action shall be brought with respect to prison conditions under [42 U.S.C. § 1983], or any 18 other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until 19 such administrative remedies as are available are exhausted.” 42 U.S.C. § 1997e(a). 20 Prisoners are required to exhaust the available administrative remedies prior to filing suit. 21

Jones v. Bock, 549 U.S. 199, 211 (2007); McKinney v. Carey, 311 F.3d 1198, 1199–1201 22 (9th Cir. 2002) (per curiam). The exhaustion requirement applies to all prisoner suits relating 23 to prison life. Porter v. Nussle, 534 U.S. 516, 532 (2002). Exhaustion is required regardless of 24 the relief sought by the prisoner and regardless of the relief offered by the process, unless “the 25 relevant administrative procedure lacks authority to provide any relief or to take any action 26 whatsoever in response to a complaint.” Booth v. Churner, 532 U.S. 731, 736, 741 (2001); 27 Ross v. Blake, 578 U.S. 632, 643 (2016). “Under the PLRA, a grievance suffices if it alerts the 28 1 prison to the nature of the wrong for which redress is sought.” Reyes v. Smith, 810 F.3d 654, 2 659 (9th Cir. 2016). 3 If the Court concludes that Plaintiff has failed to exhaust, the proper remedy is dismissal 4 without prejudice of the portions of the complaint barred by section 1997e(a). Jones, 549 U.S. 5 at 223–24; Lira v. Herrera, 427 F.3d 1164, 1175–76 (9th Cir. 2005).

6 IV. STATEMENT OF FACTS

7 The Court has reviewed the evidence submitted by the parties, and finds that the 8 following facts are undisputed: 9 Plaintiff was detained at CSP-Corcoran on September 13, 2022. (ECF No. 39-5, p. 10; 10 ECF No. 39-4, at p. 3). On February 20, 2022, Plaintiff submitted grievance no. 307260, which 11 stated: Assault and Excessive Force By Peace Officer: Tues, Sept. 13th, 2022 12 (@10:50AM) who in 3AO4 officer’s office getting Request for Interview 13 slips as I’m responding to the 2nd officer’s comments, Officer Valladolid told me to leave the office at the same time he attempted to “push me” from 14 the office. Reflexively I moved to block his hand from striking me. He then grabbed my right arm ad we back[ed] out of the office. He instructed me to 15 turn around and cuff up. As I attempted to turn to my left toward the grill 16 gate, C/O Valladolid prevented me from turning by holding onto my right arm while he pressed himself upon me. He then proceeded to slam me into 17 the grill gate, pressing my head against the gate. I then grabbed the grill gate with my right hand, bracing and pushing my head off of the grill gate. 18 All the while telling him that I am special cuff because of shoulder injury. 19 He requested I let go of the gate and I told him not if he continues to press me into the gate. So he attempted to take my hand off – wasn’t strong 20 enough. Then the other officer came and attempted to take my hand off 21 while C/O Valladolid wrapped his arms around me trying to wrench me off. They wasn’t [sic] strong enough. The second officer went down to my feet 22 to try and lift me up. After several failed attempts, I allowed them to take me to the ground in lieu of getting my head banged into the grill or 23 attempting to regain balance and having 2nd C/O claim I battered him. As 24 I’m on the ground, they are trying to pull my arms behind my back, knowing that I am special cuff because of shoulder injury and not mobility 25 reasons. I have committed myself to not becoming violent to dealt with issues. But I be [sic] damned if I’m not going to protect myself through 26 means that are not violent. I protected my arm by holding onto it with my 27 right. Officer Valladolid grabbed my head and banged it to the ground and began pressing my head to the ground with all his body weight. At this 28 point, I started to get up and get them off of me. I’m not sure if that was the reason he let go or the fact that responding officers had arrived but he

1 resumed trying to pull my arm behind my back as I continued to inform 2 them that I can't put my arm behind my back. As the responding officers were just standing there observing I mentioned to them that they know I am 3 special cuffs "why are they not doing anything" (Sgt. Norman, C/O Shelby I was able to see)[.] Another officer got down to assist and someone (C/O) 4 said get the "chains." Shortly thereafter, someone put leg chains on me and 5 I was told to put my arms to the side. I again stated that I am special cuffs, I cannot put my arm behind because of the failed total shoulder replacement. 6 One of the officers stated, okay, all you have to do is put your arm to the side. So I did. C/O Valladolid snatched my left arm and intentionally with 7 maliciousness, intending to cause harm and he wrenched my arm back 8 behind me and up near my shoulder blades causing a grinding sensation in my shoulder and something popped. I couldn't do anything but scream and 9 yell, especially with 3 people on my back. The video shows his deliberate 10 intent to cause me harm. – This is the second incident where staff attempted to cuff me. After the first, it was stated "that now we know you are special 11 cuff due to shoulder." Same place they got the leg chains (4 Bldg control) waist chains are there. This affirms maliciously caused me harm. Charges 12 & compensation warranted. 13 (Id., p. 10-11). 14 On October 13, 2022, the CDCR Office of Grievances ("OOG") issued a final decision 15 as to grievance no. 307260, confirming that Plaintiff's allegations of staff misconduct would be 16 referred outside the grievance and appeal process to the appropriate CDCR authority. (Id.). 17 The OOG confirmed Plaintiff had exhausted administrative remedies regarding grievance no. 18 307260. (Id.). 19 Plaintiff filed a second grievance related to the September 13 incident. (Id., at p. 14). 20 Plaintiff was served with an RVR, and he filed grievance no. 315311 to address his alleged 21 inability to view the "evidence against [him] by the disciplinary officer Patrick...." (Id.). The 22 OOG rejected grievance no. 315311 because it concerned "an anticipated policy, decision, 23 action, condition or omission by the Department or departmental staff." (Id., at p. 16). 24 Plaintiff filed his initial complaint on October 23, 2023. (ECF No. 1).

25 V. ANALYSIS

26 As all parties agree that Plaintiff fully exhausted grievance 307260, 4 the Court first 27 28 4 In support of their motion for summary judgment, Correctional Officer Defendants submit the declaration of A. Vasquez, a Correctional Counselor II assigned as Grievance Coordinator at CSP-1 looks to whether that grievance exhausted Plaintiff's claims against the Correctional Officer 2 Defendants. 3 Correctional Officer Defendants argue that although grievance 307260 identified the 4 relevant use of force, it did not exhaust administrative remedies against them because it only 5 identified Officer Valladolid by name. 6 The Court has reviewed the grievance in light of the relevant legal standards and 7 recommends finding that it sufficiently identified the Correctional Officer Defendants to 8 exhaust Plaintiff's claims against them. As set forth above, the grievance claims that 9 correctional officers other than Officer Valladolid were involved in the use of force. In 10 addition to Officer Valladolid, Plaintiff's grievance describes the "other officer" who joined 11 Valladolid in attempting to handcuff the Plaintiff, along with the "second officer" who went 12

down to Plaintiff's feet to try to lift him up. The grievance also describes being on the ground 13 while "they" were trying to pull his arms behind his back, knowing he needed special cuffs. 14 Plaintiff also describes "responding officers" that knew he required special cuffs but were "just 15 standing there observing" and "not doing anything" to prevent the Plaintiff from being 16 handcuffed behind his back. Plaintiff alleged this incident as the second time "staff attempted 17 to cuff me." 18 Under the PLRA, Plaintiff's grievance is sufficient to alert the prison to the nature of 19 Plaintiff's allegations and to "alert prison officials to a problem." Reyes, 810 F.3d at 659. 20 Under the PLRA, a grievance suffices if it alerts the prison to the nature of 21 the wrong for which redress is sought. The grievance need not include legal 22 terminology or legal theories, because [t]he primary purpose of a grievance is to alert the prison to a problem and facilitate its resolution, not to lay 23 groundwork for litigation. The grievance process is only required to alert prison officials to a problem, not to provide personal notice to a particular 24 official that he may be sued. 25 26 27 28 Corcoran. (ECF No. 39-5, at ¶2). Vasquez confirms that Plaintiff submitted his grievance no. 307260 and attaches a copy of the grievance and OOG decision as Exhibit 2 to his declaration. (Id., at ¶ 7). 1 Id. "Thus, a prisoner's failure to list all staff members involved in an incident in his inmate 2 grievance, or to fully describe the involvement of staff members in the incident, will not 3 necessarily preclude his exhaustion of administrative remedies." Id., at 958. Plaintiff was not 4 required to provide personal notice to each Correctional Officer Defendant that he might sue. 5 Id.; see McClure v. Chen, 246 F. Supp. 3d 1286, 1294 (E.D. Cal. 2017) (denying summary 6 judgment because grievance sufficiently put officials on notice of the nature of the wrong 7 alleged to exhaust administrative remedies); see also Hernandez v. I.S.U., No. 21-CV-04368- 8 HSG, 2025 WL 964688, at *11 (N.D. Cal. Mar. 31, 2025) (finding grievance describing officer 9 conduct sufficient notice to prison officials to exhaust administrative remedies); Washington v. 10 Salinas Valley State Prison, No. 22-CV-05831 BLF (PR), 2024 WL 2306286, at *8 (N.D. Cal.

11 May 21, 2024) (finding grievance provided sufficient information that specific staff could be 12 identified through investigation and therefore plaintiff exhausted administrative remedies 13 against one officer defendant). 14 Because grievance 307260 adequately alerted prison officials to the problem at issue in 15 Plaintiff's claims against Correctional Officer Defendants, the Court recommends denying their 16 motion for summary judgment.

17 VI. CONCLUSION AND RECOMMENDATIONS

18 For the reasons explained above, IT IS RECOMMENDED that: 19 (1) Correctional Officer Defendants' motion for summary judgment (ECF No. 39) be 20 DENIED. 21 These findings and recommendations are submitted to the United States District Judge 22 assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within thirty 23 (30) days after being served with these findings and recommendations, any party may file 24 written objections with the Court. Such a document should be captioned "Objections to 25 Magistrate Judge's Findings and Recommendations." Any response to the objections shall be 26 served and filed within

fourteen (14) days after service of the objections. 27 \\\ 28 \\\ 1 The parties are advised that failure to file objections within the specified time may 2 || result in the waiver of rights on appeal. Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 3 || 2014) (citing Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)). 4 5 IT IS SO ORDERED. 6 |! Dated: _December 23, 2025 [spe
ey ——

7 UNITED STATES MAGISTRATE JUDGE

8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 11