

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Mayes v. San Joaquin County Courts

Mayes · No. 2:24-cv-0459 TLN CKD P · Decided March 20, 2025

SUMMARY

The court vacates its prior findings and recommendations because the plaintiff timely filed an amended complaint in another case. Screening the amended complaint under 28 U.S.C. § 1915A, the court concludes that the plaintiff's claims concerning 2013 criminal proceedings are barred by the statute of limitations and, to the extent they imply the invalidity of his conviction or sentence, by *Heck v. Humphrey*. The magistrate judge recommends dismissal without further leave to amend and closure of the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Carolyn K. Delaney
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 20, 2025
DOCKET	2:24-cv-0459 TLN CKD P
DISPOSITION	other
PROCEDURAL POSTURE	Findings and recommendations by a magistrate judge on screening a state prisoner's amended 42 U.S.C. § 1983 complaint; the magistrate judge also ordered that prior findings and recommendations be vacated.
STANDARD OF REVIEW	Statutory screening under 28 U.S.C. § 1915A; dismissal is required when a prisoner's complaint is frivolous or malicious, fails to state a claim, or seeks monetary relief from an immune defendant.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Stedvieno D’Barge Mayes v. San Joaquin County Courts, et al.

TOPICS

- prisoners rights
- section 1983
- statute of limitations
- post-conviction relief
- civil procedure

PRACTICE AREAS

civil procedure

civil rights

prisoner litigation

post-conviction relief

QUESTIONS PRESENTED

1. Whether plaintiff's amended prisoner civil-rights complaint stated a claim upon which relief could be granted under 42 U.S.C. § 1983.
2. Whether claims arising from 2013 criminal proceedings were barred by California's two-year statute of limitations.
3. Whether plaintiff could seek damages under § 1983 for claims implying the invalidity of a criminal conviction or sentence that had not been nullified.
4. Whether plaintiff should be granted leave to file a second amended complaint.

HOLDINGS

1. The amended complaint failed to state a claim upon which relief could be granted and should be dismissed under the prisoner-screening statute.
2. Leave to file a second amended complaint should not be granted because amendment appeared futile after the court had already instructed plaintiff how to state a viable claim.

KEY QUOTATIONS

“Plaintiff's amended complaint must be dismissed for failure to state a claim upon which relief can be granted.” (at 2)

“Because the court has already provided instruction to plaintiff as to how he might state a claim upon which he can proceed, granting leave to amend a second time appears futile.” (at 2)

FACTUAL BACKGROUND

Plaintiff, a state prisoner proceeding pro se, challenged criminal proceedings against him in San Joaquin County occurring in 2013. He sought relief under 42 U.S.C. § 1983. The court concluded that the claims were time-barred under California's two-year limitations period and that damages claims implying the invalidity of a criminal conviction or sentence were barred because the conviction or sentence had not been nullified.

PROCEDURAL HISTORY

The court had previously recommended dismissal after plaintiff failed to file an amended complaint. Plaintiff had timely filed an amended complaint, but it was mistakenly filed in another case. The court vacated the February 19, 2025 findings and recommendations, screened the amended complaint, recommended dismissal for failure to state a claim, recommended closing the case, and denied leave to amend a second time as futile. The findings and recommendations were submitted to the assigned district judge under 28 U.S.C. § 636(b)(1).

DISPOSITION

CASES CITED

- Colony Cove Properties v. City of Carson, 640 F.3d 948, 956 (9th Cir. 2011)
- Heck v. Humphrey, 512 U.S. 477, 486-87 (1994)
- Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 STEDVIENO D'BARGE MAYES, No. 2:24-cv-0459 TLN CKD P 12
Plaintiff, 13 v. ORDER AND 14 SAN JOAQUIN COUNTY COURTS, et. FINDINGS AND
RECOMMENDATIONS al., 15 Defendants. 16 17 Plaintiff is a state prisoner proceeding pro se
and seeking relief pursuant to 42 U.S.C. § 18 1983.

On February 19, 2025, the court recommended that this action be dismissed for plaintiff's 19
failure to file an amended complaint. Plaintiff actually did file a timely amended complaint, but it
20 was mistakenly filed in another case. Good cause appearing, the court will vacate the February
21 19, 2025, findings and recommendations. 22 As plaintiff already knows, the court is required to
screen complaints brought by prisoners 23 seeking relief against a governmental entity or officer
or employee of a governmental entity.

28 24 U.S.C. § 1915A(a). The court must dismiss a complaint or portion thereof if the prisoner has
25 raised claims that are legally "frivolous or malicious," that fail to state a claim upon which
relief 26 may be granted, or that seek monetary relief from a defendant who is immune from such
relief. 27 28 U.S.C. § 1915A(b)(1),(2). 28 /////] As in his original complaint, plaintiff complains
about criminal proceedings against him in 2 || San Joaquin County in 2013.

There are two main problems with plaintiff's claims. First, the 3 || limitations for § 1983 claims
arising in California is two years. Colony Cove Properties v. City 4 | of Carson, 640 F.3d 948, 956
(9th Cir. 2011).

Second, plaintiff cannot proceed on a §1983 claim 5 || for damages if the claim implies the
invalidity of a criminal conviction or sentence. Heck v. 6 || Humphrey, 512 U.S. 477, 487 (1994).
Plaintiff cannot proceed on a § 1983 claim for damages 7 || concerning a criminal conviction or
sentence unless the conviction or sentence has been nullified 8 | in criminal or other proceedings.

Id. at 486-87. That does not appear to be the case here. 9 Plaintiff's amended complaint must be
dismissed for failure to state a claim upon which 10 || relief can be granted. Because the court has
already provided instruction to plaintiff as to how he 11 || might state a claim upon which he can
proceed, granting leave to amend a second time appears 12 | futile.

Therefore, leave to file a second amended complaint is not granted. 13 In accordance with the above, IT IS HEREBY ORDERED that the court's February 19, 14 || 2025, findings and recommendations are vacated. 15 IT IS HEREBY RECOMMENDED that: 16 1. Plaintiff's amended complaint (ECF No. 21) be dismissed for failure to state a claim 17 || upon which relief can be granted; and 18 2.

This case be closed. 19 These findings and recommendations are submitted to the United States District Judge 20 || assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days 21 || after being served with these findings and recommendations, plaintiff may file written objections 22 || with the court.

The document should be captioned "Objections to Magistrate Judge's Findings 23 || and Recommendations." Plaintiff is advised that failure to file objections within the specified 24 || time waives the right to appeal the District Court's order. *Martinez v. Ylst*, 951 F.2d 1153 (9th 25 | Cir. 1991). 26 | Dated: March 20, 2025 ☐☐ I / dle ae 1 CAROLYN K. DELANEY 28 snaye0459, ks UNITED STATES MAGISTRATE JUDGE