

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Burton v. Patten

Burton · No. No. 19-cv-2769 (TSC) · Decided December 9, 2025

SUMMARY

The court dismissed without prejudice Duane Burton’s Second Amended Complaint concerning conditions at the D.C. Jail. It held that the Eighth Amendment does not govern claims brought by a pretrial detainee and that the Fourteenth Amendment does not apply to the District of Columbia. The court also denied a pending motion to quash as moot and warned that a recycled amended complaint could be dismissed with prejudice.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Tanya S. Chutkan
JURISDICTION	United States District Court for the District of Columbia
DECIDED	December 9, 2025
DOCKET	No. 19-cv-2769 (TSC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed a Second Amended Complaint asserting constitutional claims concerning conditions at the D.C. Jail. The district court sua sponte dismissed the complaint without prejudice for failure to state a claim and denied a pending motion to quash as moot.
STANDARD OF REVIEW	A district court may dismiss a complaint sua sponte for failure to state a claim when it is patently obvious that the plaintiff cannot prevail on the facts alleged.
PRECEDENTIAL VALUE	Published district court opinion

TOPICS

- motions to dismiss
- prisoners rights
- due process
- cruel and unusual punishment
- civil procedure

PRACTICE AREAS

- civil procedure
- constitutional law
- civil rights
- prisoner conditions of confinement

QUESTIONS PRESENTED

1. Whether the court could sua sponte dismiss Burton's Second Amended Complaint for failure to state a claim when the alleged constitutional theories were legally unavailable to a federal pretrial detainee held in the District of Columbia.
2. Whether the Eighth Amendment governed Burton's conditions-of-confinement claims arising from his pretrial detention.
3. Whether the Fourteenth Amendment applied to Burton's claims against the District of Columbia.

HOLDINGS

1. A district court may sua sponte dismiss a complaint when it is patently obvious that the plaintiff cannot prevail on the facts alleged.
2. A pretrial detainee challenging conditions at the D.C. Jail must rely on the Fifth Amendment's Due Process Clause rather than the Eighth Amendment's prohibition on cruel and unusual punishment.
3. The Fourteenth Amendment does not apply to the District of Columbia; claims concerning District conduct are governed by the Fifth Amendment instead.

KEY QUOTATIONS

“A district court may dismiss sua sponte a complaint for failure to state a claim where “it is patently obvious” that the plaintiff cannot prevail on the facts alleged in the complaint.” (at 1)

“a pretrial detainee challenging conditions at the D.C. Jail must “rely upon the Fifth Amendment’s guarantee of due process” rather than the Eighth Amendment’s prohibition on cruel and unusual punishment.” (at 2)

““The Fourteenth Amendment . . . does not apply to the District of Columbia.”” (at 2)

““Because D.C. is a political entity created by the federal government, it is subject to the restrictions of the Fifth Amendment, not the Fourteenth.”” (at 2)

FACTUAL BACKGROUND

From 2019 to 2021, Duane Burton was held at the D.C. Jail while awaiting trial on federal criminal charges. He alleged that conditions at the Jail violated the Eighth Amendment and later filed a Second Amended Complaint naming D.C. Jail officials instead of the Department of Corrections. Burton also appeared to assert a claim under the Fourteenth Amendment.

PROCEDURAL HISTORY

Burton initially sued the D.C. Department of Corrections in 2019 over conditions at the D.C. Jail. After Burton filed an amended complaint, the court dismissed it because the Department was not a proper defendant and because the Eighth Amendment did not govern his treatment as a pretrial detainee. Burton then filed a Second Amended Complaint substituting D.C. Jail officials but again relying on the Eighth Amendment and also appearing to assert a Fourteenth Amendment claim. The court dismissed the Second Amended Complaint without prejudice and warned that a repetitive amended complaint could be dismissed with prejudice.

DISPOSITION

dismissed

CASES CITED

- Brown v. WMATA, 164 F. Supp. 3d 33, 35 (D.D.C. 2016)
- Baker v. Director, U.S. Parole Commission, 916 F.2d 725, 727 (D.C. Cir. 1990)
- Rollins v. Wackenhut Services, Inc., 703 F.3d 122, 127 (D.C. Cir. 2012)
- Brogsdale v. Barry, 926 F.2d 1184, 1187 & n.4 (D.C. Cir. 1991)
- Powers-Bunce v. District of Columbia, 479 F. Supp. 2d 146, 153 (D.D.C. 2007)
- Bell v. Wolfish, 441 U.S. 520, 536 n.16 (1979)
- Muhammad v. United States, 300 F. Supp. 3d 257, 267 (D.D.C. 2018)
- Probert v. District of Columbia, 948 F.2d 1327, 1330 n.5 (D.C. Cir. 1991)
- Bolling v. Sharpe, 347 U.S. 497, 499 (1954)

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