

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Reese v. CDCR, et al.

No. 2:24-CV-3359-DMC-P (E.D. Cal. July 24, 2025) · No. No. 2:24-CV-3359-DMC-P · Decided July 25, 2025

SUMMARY

The United States District Court for the Eastern District of California screens Plaintiff Keith Ryan Reese’s first amended prisoner civil rights complaint under 28 U.S.C. § 1915A. The court finds potentially cognizable Equal Protection claims against Hennigan and Skelton, while concluding that the claim against warden Schultz impermissibly relies on respondeat superior and should be dismissed. The court also directs termination of CDCR as a named defendant and recommends dismissal of Schultz.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Dennis M. Cota
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 25, 2025
DOCKET	No. 2:24-CV-3359-DMC-P
DISPOSITION	other
PROCEDURAL POSTURE	Findings and recommendations on screening of a prisoner's first amended civil-rights complaint under 28 U.S.C. § 1915A.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court must dismiss a prisoner's complaint or portion thereof if it is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from an immune defendant. A complaint must also satisfy Federal Rule of Civil Procedure 8(a)(2) by providing a short and plain statement giving defendants fair notice of the claim and its grounds.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Keith Ryan Reese v. CDCR, Jason Shultz, A. Hennigan, G. Skelton

TOPICS

- prisoners rights
- section 1983
- equal protection
- pleadings
- civil procedure

PRACTICE AREAS

prisoner civil rights

constitutional law

federal civil procedure

QUESTIONS PRESENTED

1. Whether the first amended complaint plausibly stated equal-protection claims against Hennigan and Skelton based on alleged racial discrimination and racial slurs.
2. Whether the amended complaint stated a cognizable 42 U.S.C. § 1983 claim against supervisory defendant Schultz based only on allegations that he allowed employees to discriminate against Reese.
3. Whether CDCR should remain a named defendant after it was omitted from the first amended complaint.

HOLDINGS

1. The first amended complaint plausibly stated potentially cognizable claims against Hennigan and Skelton for violations of Reese's rights under the Equal Protection Clause based on alleged racial discrimination.
2. The claim against Schultz failed because the allegation that he allowed his employees to discriminate against Reese stated only a respondeat superior theory, which is not cognizable under § 1983, and did not specifically allege Schultz's own participation, direction, deficient policy, or failure to prevent a known constitutional violation.

KEY QUOTATIONS

“A supervisor is only liable for the constitutional violations of subordinates if the supervisor participated in or directed the violations.” (at 3)

“Thus, Plaintiff's claim against Defendant Schultz proceeds on a theory of respondeat superior, which is not a cognizable theory in a civil rights action.” (at 4)

FACTUAL BACKGROUND

Reese, a prisoner and the only Black plumber at California State Prison–Solano, alleged that Hennigan and Skelton used racial slurs and discriminated against him in connection with a work change and termination from his plumber position. He alleged that Skelton conspired with the other defendants to terminate him and that warden Schultz allowed employees to discriminate against him. The amended complaint named Schultz, Hennigan, and Skelton; CDCR, named in the original complaint, was omitted from the amended complaint.

PROCEDURAL HISTORY

Reese filed a pro se civil-rights complaint on December 2, 2024, naming CDCR, Hennigan, Schultz, and Skelton. The court granted leave to amend on January 23, 2025, finding potentially cognizable equal-protection claims against Hennigan and Skelton but identifying defects in the claims against CDCR and Schultz. Reese filed a first amended complaint on February 13, 2025. The magistrate judge found potentially cognizable equal-

protection claims against Hennigan and Skelton, directed service on them by separate order, recommended dismissal of Schultz for failure to state a claim, and directed termination of CDCR as a named defendant.

DISPOSITION

other

CASES CITED

- *Olivas v. Nevada ex rel. Department of Corrections*, 856 F.3d 1281, 1282 (9th Cir. 2017)
- *McHenry v. Renne*, 84 F.3d 1172, 1177 (9th Cir. 1996)
- *Kimes v. Stone*, 84 F.3d 1121, 1129 (9th Cir. 1996)
- *Taylor v. List*, 880 F.2d 1040, 1045 (9th Cir. 1989)
- *Redman v. County of San Diego*, 942 F.2d 1435, 1446 (9th Cir. 1991) (en banc)
- *Starr v. Baca*, 633 F.3d 1191, 1209 (9th Cir. 2011)
- *Fayle v. Stapley*, 607 F.2d 858, 862 (9th Cir. 1979)
- *Mosher v. Saalfeld*, 589 F.2d 438, 441 (9th Cir. 1978)
- *Ivey v. Board of Regents*, 673 F.2d 266, 268 (9th Cir. 1982)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 676 (2009)
- *Martinez v. Yist*, 951 F.2d 1153 (9th Cir. 1991)