

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Hunter v. Reece

No. 2:24-cv-02513 SCR P (E.D. Cal. June 17, 2025) · No. No. 2:24-cv-02513 SCR P · Decided June 18, 2025

SUMMARY

The United States District Court for the Eastern District of California screened Adrian D. Hunter’s 42 U.S.C. § 1983 prisoner civil rights complaint. The court granted leave to proceed in forma pauperis, denied the motions for appointment of counsel without prejudice, and found that the complaint failed to state a claim based on the alleged false rules violation report and grievance-process conduct. Plaintiff was granted thirty days to file an amended complaint.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 18, 2025
DOCKET	No. 2:24-cv-02513 SCR P
DISPOSITION	other
PROCEDURAL POSTURE	Prisoner civil-rights action under 42 U.S.C. § 1983 screened under 28 U.S.C. § 1915A before service of process.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court must dismiss a prisoner complaint that is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant. In assessing failure to state a claim, the court accepts well-pleaded allegations as true and construes them in the plaintiff’s favor, but requires factual content sufficient to make the claim facially plausible.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Adrian D. Hunter v. P. Reece, C. Roberts, D. Hurtado, S. Williams

TOPICS

- prisoners rights
- section 1983
- due process
- pleadings
- civil procedure

PRACTICE AREAS

prisoner civil rights

constitutional law

federal civil procedure

disability accommodations

QUESTIONS PRESENTED

1. Whether the complaint stated a Fourteenth Amendment procedural-due-process claim based on Reece's allegedly false rules-violation report.
2. Whether the complaint stated due-process claims against officials who allegedly mishandled plaintiff's prison grievances and appeals.
3. Whether defendants sued in their official capacities for damages were immune from suit under § 1983.
4. Whether plaintiff demonstrated exceptional circumstances warranting appointment of counsel at the pleading stage.
5. Whether plaintiff should be granted leave to amend the deficient complaint.

HOLDINGS

1. The complaint failed to state a cognizable Fourteenth Amendment procedural-due-process claim against Reece because it did not allege the outcome or punishment resulting from the report, any protected liberty-interest deprivation, or denial of required procedures at a disciplinary hearing.
2. The complaint did not state a constitutional claim based on alleged deficiencies in the prison grievance and appeal process because prisoners have no constitutional right to an effective grievance or appeal procedure.
3. The claims for damages against Roberts, Hurtado, and Williams in their official capacities were barred by Eleventh Amendment immunity.
4. Appointment of counsel was premature and the motions were denied without prejudice because the complaint's deficiencies appeared potentially curable and plaintiff had received assistance from a prison library technical assistant.

KEY QUOTATIONS

“A false allegation against a prisoner does not create a claim so long as ... the prisoner receives procedural due process before there is a deprivation of liberty as a result of false allegations[.]” (Opinion at 4)

“Generally, prisoners do not have a constitutional right to an effective grievance or appeal procedure.” (Opinion at 6)

“Plaintiff’s complaint fails to state a valid claim for relief pursuant to the Due Process Clause of the Fourteenth Amendment against any defendant.” (Opinion at 7)

FACTUAL BACKGROUND

Plaintiff, a state prisoner and ADA worker at the California Medical Facility, alleged that correctional officer P. Reece ordered him out of a prison kitchen area and later issued a rules-violation report accusing him of being out of bounds and misbehaving. Plaintiff alleged that officials denied or mishandled aspects of his requests for

assistance, witnesses, and grievance review. He sought millions of dollars in compensatory and punitive damages for emotional and physical symptoms.

PROCEDURAL HISTORY

Hunter filed a pro se complaint alleging Fourteenth Amendment due-process violations arising from a allegedly false rules-violation report and the handling of related prison grievances. The court granted one in-forma-pauperis application, denied two others as moot, denied motions for appointment of counsel without prejudice, and determined that the complaint failed to state a claim and should not be served. The court granted thirty days to file an amended complaint and warned that failure to do so could result in a recommendation of dismissal under Federal Rule of Civil Procedure 41(b).

DISPOSITION

other

CASES CITED

- *Neitzke v. Williams*, 490 U.S. 319, 325, 327 (1989)
- *Jackson v. Arizona*, 885 F.2d 639, 640 (9th Cir. 1989)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555-557, 570 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Erickson v. Pardus*, 551 U.S. 89, 93-94 (2007)
- *Scheuer v. Rhodes*, 416 U.S. 232, 236 (1974)
- *Benavidez v. County of San Diego*, 993 F.3d 1134, 1144 (9th Cir. 2021)
- *Monell v. Department of Social Services*, 436 U.S. 658, 694 (1978)
- *Rizzo v. Goode*, 423 U.S. 362, 370-71 (1976)
- *Starr v. Baca*, 652 F.3d 1202, 1207-08 (9th Cir. 2011)
- *Harper v. Costa*, 2009 WL 1684599, at *2-*3 (E.D. Cal. June 16, 2009), *aff'd*, 393 F. App'x 488 (9th Cir. 2010)
- *Muhammad v. Rubia*, 2010 WL 1260425, at *3 (N.D. Cal. Mar. 29, 2010), *aff'd*, 453 F. App'x 751 (9th Cir. 2011)
- *Goodwin v. Salagubang*, 2019 WL 2026507, at *2 (E.D. Cal. May 8, 2019)
- *Butts v. Ibarra*, 2020 WL 4676375, at *4 (E.D. Cal. Aug. 12, 2020), report and recommendation adopted, 2020 WL 6020409 (E.D. Cal. Oct. 9, 2020)
- *Sandin v. Conner*, 515 U.S. 472, 484, 487 (1995)
- *Heck v. Humphrey*, 512 U.S. 477, 483-87 (1994)
- *Nettles v. Grounds*, 830 F.3d 922, 929 n.4 (9th Cir. 2016) (en banc)
- *Muhammad v. Close*, 540 U.S. 749, 754-55 (2004) (per curiam)
- *Hebrard v. Nofziger*, 90 F.4th 1000, 1006 (9th Cir. 2024)
- *Ramirez v. Galaza*, 334 F.3d 850, 860 (9th Cir. 2003)

- Mann v. Adams, 855 F.2d 639, 640 (9th Cir. 1988)
- Arizonans for Official English v. Arizona, 520 U.S. 43, 69 n.24 (1997)
- Cornel v. Hawaii, 37 F.4th 527, 531 (9th Cir. 2022)
- Mallard v. United States District Court, 490 U.S. 296, 298 (1989)
- Terrell v. Brewer, 935 F.2d 1015, 1017 (9th Cir. 1991)
- Wood v. Housewright, 900 F.2d 1332, 1335-36 (9th Cir. 1990)
- Wilborn v. Escalderon, 789 F.2d 1328, 1331 (9th Cir. 1986)
- Weygandt v. Look, 718 F.2d 952, 954 (9th Cir. 1983)
- Franco-Gonzalez v. Holder, 2013 WL 3674492, at *3-*9 (C.D. Cal. Apr. 23, 2013)
- Turner v. Rogers, 564 U.S. 431, 444-45 (2011)
- Mathews v. Eldridge, 424 U.S. 319 (1976)
- Arnold v. International Business Machines Corp., 637 F.2d 1350, 1355 (9th Cir. 1981)
- Johnson v. Duffy, 588 F.2d 740, 743 (9th Cir. 1978)
- Ivey v. Board of Regents, 673 F.2d 266, 268 (9th Cir. 1982)
- Loux v. Rhay, 375 F.2d 55, 57 (9th Cir. 1967)
- Lacey v. Maricopa County, 693 F.3d 896, 928 (9th Cir. 2012)