

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Cornejo v. Minglana

No. 23-cv-05383-JSW (N.D. Cal. Mar. 20, 2025) · No. 23-cv-05383-JSW · Decided March 20, 2025

SUMMARY

The Northern District of California granted defendants’ Rule 12(b)(6) motion to dismiss most claims brought under 42 U.S.C. § 1983 by a California prisoner. The court held that res judicata barred the retaliation, denial-of-medical-care, and related claims because substantially the same claims had been dismissed with prejudice in the plaintiff’s prior action. The Eighth Amendment excessive-force claim against Defendant T. Clayton remained, and the court set a summary-judgment briefing schedule.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Jeffrey S. White
JURISDICTION	United States District Court for the Northern District of California
DECIDED	March 20, 2025
DOCKET	23-cv-05383-JSW
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss the plaintiff’s Fourteenth Amendment claims. The court granted the motion and dismissed all claims except the Eighth Amendment excessive-force claim against Defendant T. Clayton, which remained pending for summary-judgment proceedings.
STANDARD OF REVIEW	The court reviewed the complaint under Rule 12(b)(6), accepting factual allegations as true and construing them in the light most favorable to the nonmoving party, while disregarding conclusory allegations, unwarranted factual deductions, and unreasonable inferences. The court also considered judicially noticeable facts under Federal Rule of Evidence 201.
PRECEDENTIAL VALUE	District court order; precedential status not stated in the source.
PARTIES	Efrain Cornejo v. Sergeant V. Minglana, Hughes, Mazariegos, Lomeli, Camacho, Clayton, Santos, Gallardo, Garcia, Vasquez, Reyes

TOPICS

res judicata

motions to dismiss

section 1983

prisoners rights

summary judgment

PRACTICE AREAS

civil procedure

civil rights

prisoner civil rights

constitutional law

remedies

QUESTIONS PRESENTED

1. Whether res judicata barred Cornejo's retaliation, denial-of-medical-care, and other claims because they arose from the same transactional nucleus of facts as claims previously dismissed with prejudice.
2. Whether the newly named prison officials were in privity with parties to the prior action for purposes of claim preclusion.
3. Whether the Eighth Amendment excessive-force claim against Clayton was barred by res judicata.
4. Whether the surviving excessive-force claim should proceed to summary-judgment briefing.

HOLDINGS

1. Res judicata barred the plaintiff's retaliation, denial-of-medical-care, and related claims because the prior and present actions involved the same claims, a final judgment on the merits, and privity between the parties.
2. Additional factual allegations did not defeat claim identity because they did not arise from a different transactional nucleus of facts.
3. The Eighth Amendment excessive-force claim against Clayton was not dismissed on res judicata grounds and remained pending.
4. Leave to amend the barred claims was denied because amendment would be futile.

KEY QUOTATIONS

"The doctrine of res judicata, or claim preclusion, bars a party in successive litigation from pursuing claims that were raised or could have raised in a prior action." (at 3)

"The last of these criteria is "the most important."" (at 4)

"Privity exists between officers of the same government so that a judgment in a suit between a party and a representative of the government is res judicata in relitigation of the same issue between that party and another officer of the government." (at 6)

FACTUAL BACKGROUND

Cornejo, a California state prisoner, alleged that prison officials retaliated against him for a prior lawsuit, subjected him to a cell extraction involving excessive force, and denied or delayed emergency medical care. He alleged that Defendant Clayton kicked his upper torso and head during the extraction and that other defendants participated in retaliation or denied medical care. The court found that substantially the same incidents and

constitutional claims had been litigated in Cornejo's prior action, except that Clayton was newly identified as the officer previously sued as John Doe No. 1.

PROCEDURAL HISTORY

Cornejo filed a pro se prisoner civil-rights action under 42 U.S.C. § 1983 concerning an alleged cell extraction, denial of medical care, and retaliation. Defendants moved to dismiss. The court took judicial notice of Cornejo's prior action, *Cornejo v. Lawson*, in which substantially the same claims had been dismissed with prejudice or resolved at summary judgment. The court held that res judicata barred the claims except the excessive-force claim against Clayton, denied leave to amend those barred claims, and ordered an answer and a summary-judgment briefing schedule for the remaining claim.

DISPOSITION

other

CASES CITED

- *Parks School of Business, Inc. v. Symington*, 51 F.3d 1480, 1483 (9th Cir.)
- *Usher v. City of Los Angeles*, 828 F.2d 556, 561 (9th Cir.)
- *Erickson v. Pardus*, 551 U.S. 89, 93 (2007)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 550, 570 (2007)
- *Clegg v. Cult Awareness Network*, 18 F.3d 752, 754-55 (9th Cir.)
- *Lee v. City of Los Angeles*, 250 F.3d 668, 688-89 (9th Cir.), overruled on other grounds by *Galbraith v. County of Santa Clara*, 307 F.3d 1119 (9th Cir.)
- *Galbraith v. County of Santa Clara*, 307 F.3d 1119 (9th Cir.)
- *Sprewell v. Golden State Warriors*, 266 F.3d 979, 988 (9th Cir.)
- *Estelle v. Gamble*, 429 U.S. 97, 106 (1976)
- *Save Bull Trout v. Williams*, 51 F.4th 1101, 1107 (9th Cir. 2022)
- *C.D. Anderson & Co., Inc. v. Lemos*, 832 F.2d 1097, 1100 (9th Cir.)
- *Tahoe-Sierra Preservation Council, Inc.*, 322 F.3d 1078, 1081
- *International Union of Operating Engineers v. Karr*, 994 F.2d 1426, 1430 (9th Cir.)
- *Stewart v. U.S. Bancorp*, 297 F.3d 953, 957 (9th Cir.)
- *Federated Department Stores v. Moitie*, 452 U.S. 394, 399 n.3 (1981)
- *Sekona v. Horowitz*, No. 2:17-CV2479-JAM-DMC-P, 2020 WL 5203445, at *4 (E.D. Cal. Sept. 1, 2020)
- *Headwaters Inc.*, 399 F.3d at 1053
- *Church of New Song v. Establishment of Religion on Taxpayers' Money*, 620 F.2d 648, 654 (7th Cir.)
- *Stearns v. Flores*, No. C 03-0562 JF (PR), 2007 WL 1119213, at *3 (N.D. Cal. Apr. 16, 2007)
- *Cornejo v. Lawson et al.*, N.D. Cal. No. 4:20-cv-06489 (JST)
- *Rand v. Rowland*, 154 F.3d 952, 953-54 (9th Cir. 1998) (en banc)
- *Klingele v. Eikenberry*, 849 F.2d 409, 411-12 (9th Cir.)

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