

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Maurice Johnson v. Deputy Gonzales, et al.

Johnson v. Gonzales · No. No. 2:24-cv-2412 DAD CSK P · Decided February 28, 2025

SUMMARY

The United States District Court for the Eastern District of California screened Maurice Johnson’s first amended 42 U.S.C. § 1983 complaint. The court found potentially cognizable Fourteenth Amendment excessive-force claims against Deputy Gonzales, dismissed claims against Sgt. Baker and the Sacramento County Sheriff’s Department with leave to amend, and gave Johnson the option to proceed against Gonzales or file a second amended complaint. The order also includes a notice of election and warns that failure to comply may result in a recommendation of dismissal.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Chi Soo Kim
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	February 28, 2025
DOCKET	No. 2:24-cv-2412 DAD CSK P
DISPOSITION	other
PROCEDURAL POSTURE	Screening order on a prisoner civil-rights action under 42 U.S.C. § 1983 following the filing of a first amended complaint.
STANDARD OF REVIEW	The court screened the pleading under 28 U.S.C. § 1915A and evaluated whether it stated a cognizable claim, construing the pro se pleading liberally and applying the facial-plausibility standard.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	Maurice Johnson v. Deputy Gonzales, Sgt. Baker, Sacramento County Sheriff’s Department

TOPICS

- prisoners rights
- section 1983
- civil rights
- pleadings
- joinder

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the first amended complaint stated a potentially cognizable excessive-force claim against Deputy Gonzales.
2. Whether the first amended complaint stated cognizable claims against Sgt. Baker and the Sacramento County Sheriff's Department.
3. Whether the alleged medical-care claim could be joined with the excessive-force claim in the same action.
4. What pleading standard and amendment opportunity applied to plaintiff's pro se amended complaint.

HOLDINGS

1. The first amended complaint stated potentially cognizable excessive-force claims against Deputy Gonzales under the Fourteenth Amendment Due Process Clause.
2. The first amended complaint did not state cognizable claims against Sgt. Baker or the Sacramento County Sheriff's Department because it contained no charging allegations against those defendants.
3. The alleged medical-care claim was not properly joined with the excessive-force claim against Deputy Gonzales because the claims involved different legal elements and evidence and did not arise from the same transaction or occurrence.
4. Because plaintiff proceeded pro se, the court was required to construe the pleading liberally, identify deficiencies before dismissal, and provide an opportunity to cure; any second amended complaint had to be complete in itself and could not add new claims or defendants.

KEY QUOTATIONS

“A district court must construe a pro se pleading “liberally” to determine if it states a claim and, prior to dismissal, tell a plaintiff of deficiencies in his complaint and give plaintiff an opportunity to cure them.” (at 2)

““Threadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice.”” (at 2)

“Plaintiff must set forth “sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’”” (at 2)

FACTUAL BACKGROUND

Maurice Johnson, a county jail inmate, alleged that Deputy Gonzales used excessive force while escorting him at the Sacramento County Main Jail. Johnson also alleged that an unidentified doctor ordered CT scans for head injuries that he had not received as of January 28, 2025, and referred to jail sick-call notes concerning head and back injuries. The amended complaint did not identify charging allegations against Sgt. Baker or the Sacramento County Sheriff's Department, did not name medical personnel as defendants, and did not show that the medical allegations were related to the excessive-force claim.

PROCEDURAL HISTORY

The court dismissed plaintiff's original complaint on January 10, 2025, with leave to amend. Plaintiff filed a first amended complaint on February 3, 2025. On screening under 28 U.S.C. § 1915A, the court found potentially cognizable excessive-force claims against Deputy Gonzales, dismissed the claims against Sgt. Baker and the Sacramento County Sheriff's Department with leave to amend, and gave plaintiff the option either to proceed against Gonzales alone or file a second amended complaint.

DISPOSITION

other

CASES CITED

- Johnson v. Duffy, 588 F.2d 740, 743 (9th Cir. 1978)
- George v. Smith, 507 F.3d 605, 607 (7th Cir. 2007)
- Lopez v. Smith, 203 F.3d 1122, 1130-31 (9th Cir. 2000)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Ramirez v. County of San Bernardino, 806 F.3d 1002, 1008 (9th Cir. 2015)