

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Masa Nathaniel Warden v. B. Cowan, W. Williams, and N. Weaver

No. 2:19-cv-00431 TLN AC P · No. No. 2:19-cv-00431 TLN AC P · Decided December 12, 2025

SUMMARY

These findings and recommendations address plaintiff Masa Nathaniel Warden’s motion for reconsideration of the prior ruling that his 42 U.S.C. § 1983 excessive-force claims against Corporal Will Williams were barred by Heck v. Humphrey. The court analyzes the Ninth Circuit’s decision in King v. Villegas concerning the admissibility of nolo contendere pleas and related factual statements under Federal Rule of Evidence 410(a) in a Heck analysis. The undersigned recommends granting reconsideration, vacating the prior orders, and permitting plaintiff to file a Fourth Amended Complaint reasserting claims against Williams.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Allison Claire
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 12, 2025
DOCKET	No. 2:19-cv-00431 TLN AC P
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 54(b) for reconsideration of prior findings and recommendations and an order adopting them that had applied the Heck bar to his 42 U.S.C. § 1983 excessive-force claim against defendant Williams. The magistrate judge recommended granting reconsideration, vacating the prior orders, and permitting plaintiff to file a Fourth Amended Complaint.
STANDARD OF REVIEW	Reconsideration of a nonfinal order is governed by the court's inherent authority and Federal Rule of Civil Procedure 54(b); reconsideration may be warranted by intervening controlling law. The Heck issue was analyzed under the rule that a § 1983 claim is barred when success would necessarily imply the invalidity of an outstanding conviction or sentence.

PRECEDENTIAL VALUE

Nonprecedential findings and recommendations; not a final district court judgment

TOPICS

motion for reconsideration

section 1983

civil rights

hearsay

civil procedure

PRACTICE AREAS

Civil rights

Federal civil procedure

Evidence

QUESTIONS PRESENTED

1. Whether intervening Ninth Circuit authority in *King v. Villegas* warranted reconsideration of the prior order applying the Heck bar.
2. Whether a court may consider a plaintiff's nolo contendere plea or facts stipulated as part of the plea in determining whether a related § 1983 excessive-force claim is barred by Heck.
3. Whether plaintiff should be permitted to reassert an excessive-force claim against Williams based on the alleged first shot.

HOLDINGS

1. The Ninth Circuit's intervening decision in *King v. Villegas* clarified the relationship between Federal Rule of Evidence 410(a), nolo contendere pleas, and Heck-bar determinations and provided a proper basis to reconsider the prior nonfinal orders.
2. A court may not consider the plaintiff's nolo contendere plea or facts stipulated as part of that plea to determine whether the plaintiff's § 1983 claim is Heck-barred.
3. The prior orders applying the Heck bar to the claim against Williams should be vacated, and plaintiff should be permitted to file a Fourth Amended Complaint asserting an excessive-force claim based on the alleged first shot.

KEY QUOTATIONS

“Under the law as newly articulated by King, this court cannot consider the nolo plea or the facts stipulated therein to determine whether a §1983 claim is Heck-barred.” (at 23)

“Without considering that information, there is no plausible basis for a conclusion that plaintiff’s original §1983 excessive force claim against Williams is Heck-barred.” (at 23-24)

FACTUAL BACKGROUND

On July 23, 2018, plaintiff Masa Warden was involved in several reported incidents in Redding, California, including a fight at Shasta High School and later encounters reported along the Sacramento River Trail. Corporal Will Williams encountered Warden and fired at him; Officers Cowan and Weaver arrived afterward and fired additional rounds. Warden sustained multiple gunshot-related injuries. Warden later entered a no-contest plea to

violating California Penal Code § 69 as to Williams, while the § 69 charges involving Cowan and Weaver were dismissed.

PROCEDURAL HISTORY

Plaintiff filed this pro se § 1983 action in 2019. Defendants later moved for summary judgment, and the magistrate judge recommended, and the district judge adopted, summary judgment for Williams on the ground that the excessive-force claim was barred by *Heck v. Humphrey* because plaintiff had entered a no-contest plea to resisting or obstructing Williams. After the Ninth Circuit decided *King v. Villegas*, plaintiff moved for reconsideration, arguing that the court could not use his nolo contendere plea or facts stipulated in connection with that plea to apply the Heck bar. The magistrate judge recommended granting the motion and allowing amendment.

DISPOSITION

other

REMAND INSTRUCTIONS

The magistrate judge recommended that ECF Nos. 52 and 56 be vacated and that plaintiff be allowed to file a Fourth Amended Complaint adding an excessive-force claim against Williams based on the alleged first shot within 14 days of a final order. The recommendation was subject to objections under 28 U.S.C. § 636(b)(1).

CASES CITED

- *King v. Villegas*, 156 F.4th 979 (9th Cir. 2025)
- *Heck v. Humphrey*, 512 U.S. 477 (1994)
- *United States v. Martin*, 226 F.3d 1042, 1048-49 (9th Cir. 2000)
- *Barber v. State of Hawai'i*, 42 F.3d 1185, 1198 (9th Cir. 1994)
- *United States v. Westlands Water Dist.*, 134 F. Supp. 2d 1111, 1131 (E.D. Cal. 2001)
- *Cachil Dehe Band of Wintun Indians v. California*, 649 F. Supp. 2d 1063, 1069 (E.D. Cal. 2009)
- *School Dist. No. 1J Multnomah County v. AC & S Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993)
- *389 Orange St. Partners v. Arnold*, 179 F.3d 656, 665 (9th Cir. 1999)
- *Hooper v. County of San Diego*, 629 F.3d 1127, 1131-33 (9th Cir. 2011)
- *Yount v. City of Sacramento*, 43 Cal. 4th 885 (2008)
- *Winder v. McMahon*, 345 F. Supp. 3d 1197, 1203 (C.D. Cal. 2018)
- *Beets v. County of Los Angeles*, 669 F.3d 1038, 1042 (9th Cir. 2012)
- *Sanford v. Motts*, 258 F.3d 1117, 1120 (9th Cir. 2001)
- *Smith v. City of Hemet*, 394 F.3d 689, 698-99 (9th Cir. 2005) (en banc), cert. denied, 545 U.S. 1128 (2005)
- *Cunningham v. Gates*, 312 F.3d 1148, 1154 (9th Cir. 2002), amended on denial of reh'g (Jan. 14, 2003)
- *Briseno v. City of West Covina*, 2023 WL 2400833, at *1 (9th Cir. Mar. 8, 2023)
- *Sanders v. City of Pittsburg*, 14 F.4th 968, 971 (9th Cir. 2021)

- Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998)
- Martinez v. Ylst, 951 F.2d 1153, 1156-57 (9th Cir. 1991)

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