

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Coffer v. Mosely

No. 2:25-cv-1358 CSK P (E.D. Cal. July 23, 2025) · No. 2:25-cv-1358 CSK P · Decided July 23, 2025

SUMMARY

The court recommends dismissal of Jonathan Christopher Coffer’s prisoner civil rights action under 42 U.S.C. § 1983. The claims against one defendant were duplicative of claims in another action, while the claim against the other defendant based on failure to investigate a grievance did not state a constitutional claim; the court also denied two motions and directed assignment of a district judge.

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	July 23, 2025
DOCKET	2:25-cv-1358 CSK P
DISPOSITION	other
PROCEDURAL POSTURE	Prisoner civil-rights action under 42 U.S.C. § 1983; after screening, the magistrate judge recommended dismissal because the action was duplicative as to one defendant and failed to state a claim as to another. The court also denied two pending motions.
STANDARD OF REVIEW	Screening under 28 U.S.C. § 1915A; the court accepts complaint allegations as true and construes the pleading in the light most favorable to the plaintiff when evaluating whether it is frivolous or fails to state a claim.
PRECEDENTIAL VALUE	nonprecedential district-court findings and recommendations; no reporter citation
PARTIES	Jonathan Christopher Coffer v. Howard E. Mosely, J. Purtle, et al.

TOPICS

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

PRACTICE AREAS

prisoner civil rights

constitutional law

federal civil procedure

in forma pauperis screening

QUESTIONS PRESENTED

1. Whether the claims against Purtle should be dismissed as duplicative of claims in *Coffer v. Purtle*, No. 2:25-cv-1302 CKD P.
2. Whether an inmate's allegation that a prison official failed to investigate or respond adequately to a grievance states a constitutional claim.
3. Whether plaintiff's motion to file by mail was moot and whether his emergency request for subpoenas should be denied in light of the recommended dismissal.

HOLDINGS

1. An inmate cannot state a colorable due-process claim merely by alleging that prison officials inadequately investigated, responded to, or handled an inmate grievance because inmates have no constitutional right to an effective grievance or appeal procedure.
2. The claims against Purtle in this action should be dismissed as duplicative of substantially identical claims asserted in *Coffer v. Purtle*, No. 2:25-cv-1302 CKD P.
3. The action should be dismissed under 28 U.S.C. § 1915A because the claims were duplicative or failed to state a claim upon which relief may be granted.

KEY QUOTATIONS

“Inmates do not have a constitutional right to an effective grievance or appeal procedure.” (at 3)

“The court is required to screen complaints brought by prisoners seeking relief against a governmental entity or officer or employee of a governmental entity.” (at 1)

FACTUAL BACKGROUND

Plaintiff, a state prisoner, alleged that J. Purtle applied handcuffs too tightly and refused to remove them on July 17, 2024. He alleged that Howard Mosely failed to investigate a grievance concerning that incident. The court determined that the claims against Purtle substantially duplicated claims in a separate action and that the allegations against Mosely concerned only the handling of a grievance.

PROCEDURAL HISTORY

Plaintiff filed the complaint in the Northern District of California on May 9, 2025. That court transferred the action to the Eastern District of California on May 13, 2025. After screening, the court gave plaintiff thirty days to voluntarily dismiss the action and warned that dismissal would be recommended if he failed to respond. Plaintiff did not respond, so the magistrate judge denied his motions to file by mail and for emergency subpoenas and recommended dismissal, subject to review by an assigned district judge.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand was ordered. The magistrate judge recommended dismissal and directed that objections be filed within fourteen days; a district judge was to review the findings and recommendations.

CASES CITED

- Neitzke v. Williams, 490 U.S. 319, 325, 327 (1989)
- Franklin v. Murphy, 745 F.2d 1221, 1227-28 (9th Cir. 1984)
- Jackson v. Arizona, 885 F.2d 639, 640 (9th Cir. 1989)
- Lopez v. Smith, 203 F.3d 1122, 1130-31 (9th Cir. 2000)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)
- Conley v. Gibson, 355 U.S. 41, 47 (1957)
- Erickson v. Pardus, 551 U.S. 89, 93 (2007)
- Scheuer v. Rhodes, 416 U.S. 232, 236 (1974)
- Davis v. Scherer, 468 U.S. 183 (1984)
- Ramirez v. Galaza, 334 F.3d 850, 860 (9th Cir. 2003)
- Mann v. Adams, 855 F.2d 639, 640 (9th Cir. 1988)
- Antonetti v. McDaniels, 2018 WL 11362954, at *7 (D. Nev. May 25, 2018)
- Terrill v. Grannis, 2012 WL 5906648, at *8 (E.D. Cal. Nov. 26, 2012), findings and recommendations adopted, 2013 WL 524320 (E.D. Cal. Feb. 11, 2013)
- Spencer v. Barajas, 2025 WL 1600926, at *3 (9th Cir. June 6, 2025)
- Cato v. United States, 70 F.3d 1103, 1105 n.2 (9th Cir. 1995)
- LeBlanc v. Asuncion, 699 F. App'x 762 (9th Cir. 2017)
- MGIC Indem. Co. v. Weisman, 803 F.2d 500, 505 (9th Cir. 1986)
- United States v. Wilson, 631 F.2d 118, 119 (9th Cir. 1980)
- Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991)
- Coffey v. Purtle, No. 2:25-cv-1302 CKD P