

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Christopher Nathaniel Washington v. Ralph Diaz, et al.

Washington v. Diaz · No. 2:20-cv-2261 KJM AC P · Decided May 28, 2025

SUMMARY

The United States District Court for the Eastern District of California partially adopts findings and recommendations in a prisoner civil rights action under 42 U.S.C. § 1983. The court denies defendants’ motion for summary judgment on First Amendment retaliation and Eighth Amendment failure-to-protect claims based on allegedly labeling the plaintiff a “snitch on staff,” declines to grant qualified immunity at that stage, and denies the plaintiff’s motions.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 28, 2025
DOCKET	2:20-cv-2261 KJM AC P
DISPOSITION	other
PROCEDURAL POSTURE	The district court conducted de novo review of a magistrate judge's findings and recommendations concerning motions for reconsideration, leave to file a motion for summary judgment, and defendants' motion for summary judgment in a prisoner civil-rights action under 42 U.S.C. § 1983.
STANDARD OF REVIEW	De novo review under 28 U.S.C. § 636(b)(1)(C) and Local Rule 304; summary judgment is evaluated by viewing reasonable inferences in the light most favorable to the nonmoving party.
PRECEDENTIAL VALUE	unpublished, nonprecedential district-court order
PARTIES	Christopher Nathaniel Washington v. Ralph Diaz, et al.

TOPICS

- prisoners rights
- civil rights
- section 1983
- summary judgment
- qualified immunity

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether a genuine dispute of material fact precluded summary judgment on Washington's First Amendment retaliation claim based on prison officials allegedly spreading rumors that he was a snitch on staff.
2. Whether a genuine dispute of material fact precluded summary judgment on Washington's Eighth Amendment failure-to-protect claim based on the same alleged statements.
3. Whether defendants were entitled to qualified immunity at the summary-judgment stage.
4. Whether Washington was entitled to reconsideration of the order denying his motion for a preliminary injunction or leave to file his own motion for summary judgment.

HOLDINGS

1. Summary judgment was denied because the evidence, viewed in Washington's favor, created a genuine dispute of material fact as to whether defendants spread rumors that Washington was a snitch on staff and thereby chilled his First Amendment rights.
2. Summary judgment was denied because a genuine dispute of material fact existed as to whether spreading rumors that Washington was a snitch on staff placed him at risk of harm from other inmates and violated the Eighth Amendment.
3. Defendants were not entitled to qualified immunity at that stage because it had been clearly established in the Ninth Circuit since at least 1989 that spreading rumors that a prisoner is a snitch can violate the prisoner's First and Eighth Amendment rights.

KEY QUOTATIONS

“While these arguments may prove convincing to a jury, they are untenable to support summary judgment, as they rely on inferences favorable to the defendants and not to the plaintiff.” (at 3)

“A reasonable jury could thus find the staff spread rumors Washington was a snitch on staff, that spreading the rumors Washington was a snitch on staff put Washington’s safety at risk, and that the rumors chilled his First Amendment rights to complain about staff conduct through legal channels.” (at 4)

FACTUAL BACKGROUND

Washington alleged that prison officials told other inmates that he was a snitch on staff after he had settled a lawsuit against other officers. He submitted a declaration from another inmate stating that defendants said Washington “needs to be murdered he snitches on correction staff in court!” Washington contended that the statements placed him at risk of violence and chilled his First Amendment right to complain about prison staff through legal channels.

PROCEDURAL HISTORY

Washington, a state prisoner proceeding pro se, filed a § 1983 action and the matter was referred to a magistrate judge. After the magistrate judge issued findings and recommendations, Washington filed objections. The district court adopted the recommendations in part, denied Washington's motions, denied defendants' motion for summary judgment on the challenged First and Eighth Amendment claims, declined to grant qualified immunity at that stage, and referred the matter back for further pretrial proceedings.

DISPOSITION

other

REMAND INSTRUCTIONS

The matter was referred back to the assigned magistrate judge for all further pretrial proceedings. Defendants may renew their motion for qualified immunity at trial.

CASES CITED

- Valandingham v. Bojorquez, 866 F.2d 1135, 1137-39 (9th Cir. 1989)
- Mitchell v. Baeza, No. 20-0857, 2024 WL 2021861, at *4-5, 17 (E.D. Cal. Jan. 18, 2024)
- Quinn v. Singh, No. 11-1085, 2012 WL 3868014, at *2, 7 (S.D. Cal. July 27, 2012)
- Walton v. Harkleroad, No. 13-1109, 2016 WL 11480713, at *2-3, 13 (W.D. Pa. Mar. 3, 2016)
- Matsushita Electric Industrial Co. v. Zenith Radio Corp., 475 U.S. 574, 587-88 (1986)
- Adickes v. S.H. Kress & Co., 398 U.S. 144, 157 (1970)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 CHRISTOPHER NATHANIEL No. 2:20-cv-2261 KJM AC P
WASHINGTON, 12 Plaintiff, 13 ORDER v. 14 RALPH DIAZ, et al., 15 Defendants. 16 17
Christopher Nathaniel Washington, a state prisoner proceeding pro se, filed this civil 18 rights
action seeking relief under 42 U.S.C. § 1983.

The matter was referred to a United States 19 Magistrate Judge as provided by 28 U.S.C. § 636(b)
(1)(B) and Local Rule 302. 20 On March 10, 2025, the magistrate judge filed findings and
recommendations, which were 21 served on all parties and which contained notice to all parties
that any objections to the findings 22 and recommendations were to be filed within fourteen days.

ECF No. 142. Washington filed 23 objections to the findings and recommendations. ECF No. 144.
24 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this 25
court has conducted a de novo review of this case.

Having reviewed the file, the court finds the 26 findings and recommendations to be supported by
the record and by proper analysis with respect 27 to Washington’s motion for reconsideration, ECF

No. 137, and Washington's motion for leave to 28 file a motion for summary judgment, ECF No. 140.

The court also accepts the findings and 1 recommendations that defendant's motion for summary judgment, ECF No. 126, should be 2 denied as to Washington's First Amendment claim that defendants retaliated against him by 3 threatening and harassing him for two months after he settled a lawsuit against other officers, see 4 F&Rs at 9–10. 5 However, the court declines to accept the findings and recommendations that defendant's 6 motion for summary judgment, ECF No. 126, should be granted as to Washington's First and 7 Eighth Amendment claims based on the allegation that defendants told other inmates' 8 Washington was a "snitch on staff," see F&Rs at 10–11.

9 It has been clearly established in this Circuit since at least 1989 that by spreading a rumor 10 a prisoner is a "snitch," prison staff violate the Eighth Amendment, given that they fail to protect 11 the prisoner against violence by other inmates. See *Valandingham v. Bojorquez*, 866 F.2d 1135, 12 1137–38 (9th Cir. 1989). It also is clearly established that when prison staff conspire to label a 13 prisoner a snitch in retaliation for the prisoner's speech, they violate the First Amendment.

See 14 *id.* at 1138. District courts in both this Circuit and in others have found prisoner-plaintiffs' First 15 and Eighth Amendment claims to be plausible when they allege prison staff spread rumors to 16 other prisoners the prisoner-plaintiff had snitched on prison staff. See *Mitchell v. Baeza*, No. 20- 17 0857, 2024 WL 2021861, at *4–5, 17 (E.D. Cal. Jan.

18, 2024) (finding plaintiff's allegations that 18 staff spread rumors to prisoners he was a snitch after he filed a grievance against staff members to 19 be plausible for both a First Amendment retaliation claim and an Eighth Amendment failure to 20 protect claim); *Quinn v. Singh*, No. 11-1085, 2012 WL 3868014, at *2, 7 (S.D. Cal. July 27, 21 2012) (same); cf. *Walton v. Harkleroad*, No. 13-1109, 2016 WL 11480713, at *2–3, 13 (W.D.

Pa. 22 Mar. 3, 2016) (finding a dispute of material fact over whether prison guard endangered plaintiff in 23 violation of the Eighth Amendment by spreading rumors plaintiff had snitched on staff). 24 In their motion for summary judgment, defendants argue "no reasonable officer could 25 conclude that Washington could be placed in danger if inmates knew he 'snitches on staff.'" 26 *Mem.* at 11, ECF No. 126-1.

Defendants also argue Washington was in a unit comprised of 27 inmates "who [had] left prison gangs and provided information regarding them to law 28 enforcement." *Id.* at 12. In other words, being labelled a snitch could not put Washington in 1 danger because he was housed in a unit filled with snitches. While these arguments may prove 2 convincing to a jury, they are untenable to support summary judgment, as they rely on inferences 3 favorable to the defendants and not to the plaintiff.

See *Matsushita Elec. Indus. Co. v. Zenith Radio Corp.*, 475 U.S. 574, 587–88 (1986) (holding a court must find all inferences in favor of the non-moving party at summary judgment). Further, defendants cannot cite caselaw that would allow the court to grant them summary judgment on this record. Indeed, the only case defendants cite, *Mitchell v. Baeza*, found plaintiff’s Eighth and First Amendment claims to be plausible because the plaintiff alleged prison staff spread rumors plaintiff had snitched on the staff.

See 2024 WL 2021861, at *4–5, 17. Similarly, in *Valandingham*, plaintiff alleged staff spread rumors he had snitched on the staff—specifically the supervisor of the prison law library. See *Valandingham*, 866 F.2d at 1138. The evidence submitted by Washington to defeat defendants’ motion for summary judgment, further, is not meaningfully different than the evidence the plaintiff submitted in *Valandingham* to defeat summary judgment.

See *id.* at 1138–39. There, the plaintiff alleged defendants called him a snitch. See *id.* The plaintiff also submitted an affidavit by an eyewitness who testified defendants had called plaintiff a snitch to other inmates. See *id.* at 1139.

Here, Washington has alleged defendants called him a snitch. See Fourth Am. Compl. at 4–5, 9, ECF 18 No. 54. Washington has also provided a declaration from another inmate, Brittney Gipson, who witnessed defendants stating Washington “needs to be murdered he snitches on correction staff in court!” *Id.* at 11.

As in *Valandingham*, Washington’s proffered evidence is enough to create a dispute of material fact as to whether defendants violated his First and Eighth Amendment rights by spreading rumors Washington was a snitch on staff. See *Valandingham*, 866 F.2d at 1138. As Washington points out in his objections to the findings and recommendations, the defendants should have known calling him a “snitch” “could have caused harm.” ECF No. 144 at 25 2.

Calling someone a snitch on staff may imply they are a snitch on others as well. Such a statement might also imply defendants were seeking some type of quid pro quo: that hurting Washington might earn a reward because the staff was angry with him. Or it might imply to the listener that defendants were not going to protect Washington should a prisoner desire to harm him for some other reason.

A reasonable jury could thus find the staff spread rumors Washington was a snitch on staff, that spreading the rumors Washington was a snitch on staff put Washington’s safety at risk, and that the rumors chilled his First Amendment rights to complain about staff conduct through legal channels. Taking all inferences in the light most favorable to Washington, as the court must do at this stage of the litigation, see *Matsushita Elec.*

Indus. Co., 475 U.S. at 587–88 (1986); *Adickes v. S.H. Kress & Co.*, 398 U.S. 144, 157 (1970), the court finds a dispute of material fact exists as to whether spreading rumors Washington was a

“snitch on staff” put Washington at risk such that his First and Eighth Amendment rights were violated. 11 Accordingly, the court denies defendants’ motion for summary judgment on Washington’s 12 First Amendment retaliation claim on the theory defendants chilled Washington’s speech by 13 spreading rumors he was a snitch on staff and on Washington’s Eighth Amendment claim 14 defendants failed to protect Washington by spreading rumors he was a snitch on staff.

As it has 15 been clearly established in this Circuit since 1989 that spreading rumors a prisoner is a snitch can 16 violate the prisoner’s First and Eighth Amendment rights, see *Valandingham*, 866 F.2d at 1138, 17 the court also declines to grant defendants qualified immunity at this stage of the litigation. 18 Defendants may renew their motion for qualified immunity at trial.

19 Accordingly, IT IS HEREBY ORDERED that: 20 1. The findings and recommendations (ECF No. 142) are adopted in part. 21 2. Plaintiff’s motion for reconsideration of the order denying his motion for a preliminary 22 injunction (ECF No. 137) is denied. 23 3. Plaintiff’s motion for leave to file a motion for summary judgment and motion for 24 summary judgment (ECF.

140) is denied. 25 4. Defendants’ motion for summary judgment (ECF No. 126) is denied. 26 5. This matter is referred back to the assigned magistrate judge for all further pretrial 27 proceedings. 28 ///// 1 This resolves ECF No. 142. 2 IT IS SO ORDERED. 3 DATED: May 27, 2025. 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28