

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Eddie Jones v. California Dept. of Corrections, et al.

No. 2:25-cv-01274-CKD-P (E.D. Cal. Sept. 11, 2025) · No. 2:25-cv-01274-CKD-P · Decided September 11,
2025

SUMMARY

The United States Magistrate Judge grants Eddie Jones’s application to proceed in forma pauperis and recommends dismissal of his 42 U.S.C. § 1983 complaint without leave to amend. The document concludes that the California Department of Corrections and California Health Care Facility are immune from suit and that the alleged failure to prevent a fall and delayed grievance response do not state constitutional claims. Plaintiff is given 14 days to file objections to the findings and recommendations.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	United States Magistrate Judge
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 11, 2025
DOCKET	2:25-cv-01274-CKD-P
DISPOSITION	other
PROCEDURAL POSTURE	A pro se state prisoner brought a 42 U.S.C. § 1983 action against the California Department of Corrections and California Health Care Facility. On screening under 28 U.S.C. § 1915A, the magistrate judge found that the complaint failed to state a claim and issued findings and recommendations that it be dismissed without leave to amend.
STANDARD OF REVIEW	Mandatory screening under 28 U.S.C. § 1915A; the complaint must be dismissed if it is frivolous or malicious, fails to state a claim, or seeks monetary relief from an immune defendant.
PRECEDENTIAL VALUE	unpublished
PARTIES	Eddie Jones v. California Dept. of Corrections, California Health Care Facility

TOPICS

prisoners rights

section 1983

civil rights

due process

eleventh amendment immunity

PRACTICE AREAS

prisoner civil rights

constitutional law

federal civil procedure

QUESTIONS PRESENTED

1. Whether the California Department of Corrections and California Health Care Facility are immune from suit under 42 U.S.C. § 1983.
2. Whether allegations that prison officials failed to train staff to prevent a prisoner's fall state an Eighth Amendment deliberate-indifference claim.
3. Whether delay in responding to a prison grievance states a Fourteenth Amendment due-process claim.
4. Whether the complaint should be dismissed without leave to amend because its defects cannot be cured by amendment.

HOLDINGS

1. The California Department of Corrections and prisons within it are immune from suit under the Eleventh Amendment; therefore, the two defendants named in the complaint cannot be sued under § 1983.
2. Allegations that defendants failed to train staff to take steps to prevent plaintiff's fall allege, at most, an ordinary lack of due care and do not establish deliberate indifference to a substantial risk of serious harm.
3. A prisoner has no constitutional entitlement to a particular prison grievance procedure or timely response, so delay in processing a grievance does not state a Fourteenth Amendment due-process claim absent a protected life, liberty, or property interest.
4. The complaint should be dismissed without leave to amend because amendment would be futile.

KEY QUOTATIONS

"In addition, it is clear under the facts alleged that plaintiff was not deprived of any right secured by the Constitution or laws of the United States." (at 4)

"Plaintiff cannot show a protected interest is at stake as he has no constitutional entitlement to a specific prison grievance procedure." (at 4)

"In this instance, further amendment would be futile." (at 5)

FACTUAL BACKGROUND

Plaintiff alleged that the California Department of Corrections and California Health Care Facility failed to train staff to take reasonable steps to prevent an unsafe condition, causing him to fall and suffer injury on October 18, 2024. He also alleged that the Office of Appeals responded late to a grievance submitted on December 11, 2024. Plaintiff named the governmental entities themselves as defendants and proceeded without counsel.

PROCEDURAL HISTORY

Plaintiff filed a prisoner civil-rights complaint alleging unsafe prison conditions and denial of due process based on delay in processing a grievance. The court granted plaintiff's application to proceed in forma pauperis, screened the complaint, and recommended dismissal without leave to amend. The findings and recommendations were submitted to the assigned district judge under 28 U.S.C. § 636(b)(1), subject to objections within 14 days.

DISPOSITION

other

CASES CITED

- West v. Atkins, 487 U.S. 42, 48 (1988)
- Brown v. Cal. Dep't of Corrs., 554 F.3d 747, 752 (9th Cir. 2009)
- Morgan v. Morgensen, 465 F.3d 1041, 1045 (9th Cir. 2006)
- Whitley v. Albers, 475 U.S. 312, 319 (1986)
- Estelle v. Gamble, 429 U.S. 97, 104 (1976)
- Farmer v. Brennan, 511 U.S. 825, 835-37 & n. 4 (1994)
- Toguchi v. Chung, 391 F.3d 1051, 1057 (9th Cir. 2004)
- Buckley v. Barlow, 997 F.2d 494, 495 (8th Cir. 1993)
- Wilkinson v. Austin, 545 U.S. 209, 221 (2005)
- Ramirez v. Galaza, 334 F.3d 850, 860 (9th Cir. 2003)
- Lopez v. Smith, 203 F.3d 1122, 1130-31 (9th Cir. 2000) (en banc)
- Cato v. United States, 70 F.3d 1103, 1105-06 (9th Cir. 1995)
- Klamath-Lake Pharm. Ass'n v. Klamath Med. Serv. Bureau, 701 F.2d 1276, 1293 (9th Cir. 1983)
- Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991)

OPINION

CDCR

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10

11 EDDIE JONES, 2:25-cv-01274-CKD P

12 Plaintiff,

13 v. ORDER AND

14 CALIFORNIA DEPT. OF FINDINGS AND RECOMMENDATIONS

CORRECTIONS, et al., 15 Defendants. 16 17 Plaintiff Eddie Jones is a state prisoner proceeding

without counsel and seeking relief 18 under 42 U.S.C. § 1983. This matter was referred to the undersigned by Local Rule 302. See 28 U.S.C. § 636(b)(1). For the reasons set forth below, the complaint fails to state a claim and should 20 be dismissed without leave to amend. 21 I. In Forma Pauperis 22 Plaintiff requests to proceed in forma pauperis. Plaintiff's declaration in support of the 23 motion to proceed in forma pauperis makes the showing required by 28 U.S.C. § 1915(a). The 24 motion is granted. By separate order, plaintiff will be assessed an initial partial filing fee in 25 accordance with the provisions of 28 U.S.C. § 1915(b)(1). The order will direct the appropriate 26 agency to collect the initial partial filing fee from plaintiff's trust account and forward it to the 27 Clerk of the Court. Thereafter, plaintiff will be obligated for monthly payments of twenty percent 28 of the preceding month's income credited to plaintiff's prison trust account. These payments will 1 be forwarded by the appropriate agency to the Clerk of the Court each time the amount in 2 plaintiff's account exceeds \$10.00 until the filing fee is paid in full. 28 U.S.C. § 1915(b)(2). 3 II. Screening Requirement 4 The court is required to screen complaints brought by prisoners seeking relief against a 5 governmental entity or officer or employee of a governmental entity. 28 U.S.C. § 1915A(a). The 6 court must dismiss a complaint or portion thereof if the prisoner has raised claims that are legally 7 "frivolous or malicious," that fail to state a claim upon which relief may be granted, or that seek 8 monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915A(b)(1), (2). 9 III. Allegations in the Complaint 10 The named defendants are California Department of Corrections ("CDCR") and 11 California Health Care Facility. Plaintiff's first claim for relief asserts a violation of his Eighth 12 Amendment right to be free from unsafe conditions. (ECF No. 1 at 3.) He alleges the entity 13 defendants failed to train staff to take reasonable steps to abate a dangerous and unsafe condition 14 which caused plaintiff to fall and sustain injury on the morning of October 18, 2024. (Id.) 15 Plaintiff's second claim for relief asserts the Office of Appeals did not meet its time frame to 16 respond to plaintiff's grievance in violation of his Fourteenth Amendment right to due process 17 because the grievance submitted on 12/11/24 was said to be addressed on 2/16/25; however, 18 plaintiff did not receive the response until 4/14/25. (Id. at 4.) 19 IV. Discussion 20 The complaint fails to state a claim because plaintiff does not allege a violation of his 21 federal constitutional or statutory rights or name a defendant who can be sued under the civil 22 rights statute pursuant to which he filed this suit. To state a claim for a violation of federal 23 constitutional or statutory rights under 42 U.S.C. § 1983, a plaintiff must allege (1) a right 24 secured by the Constitution or laws of the United States was violated, and (2) the alleged 25 violation was committed by a person acting under color of state law. See *West v. Atkins*, 487 26 U.S. 42, 48 (1988). 27 In the context of prisoner lawsuits against CDCR, the Ninth Circuit has expressly and 28 repeatedly held that CDCR and prisons within CDCR are immune from suit under the Eleventh 1 Amendment. See, e.g., *Brown v. Cal. Dep't of Corrs.*, 554 F.3d 747, 752 (9th Cir. 2009). Thus, 2 the only two defendants named in this case are immune from suit. 3 In addition, it is clear under the facts alleged that plaintiff was not deprived of any right 4 secured by the Constitution or laws of the United States. Thus, even if plaintiff

amended the 5 complaint to name defendants who can be sued under 42 U.S.C. § 1983, the allegations would 6 still fail to state a claim. 7 The Eighth Amendment protects prisoners from inhumane conditions of confinement as 8 well as inhumane methods of punishment. *Morgan v. Morgensen*, 465 F.3d 1041, 1045 (9th Cir. 9 2006). To be actionable, a prison official's conduct "must involve more than ordinary lack of due 10 care for the prisoner's interests or safety." *Whitley v. Albers*, 475 U.S. 312, 319 (1986); see also 11 *Estelle v. Gamble*, 429 U.S. 97, 104 (1976). Prison officials can be liable for a prisoner's injury 12 only if they were deliberately indifferent to a substantial risk of serious harm. *Farmer v. Brennan*, 13 511 U.S. 825, 837 (1994). Deliberate indifference requires "a state of mind more blameworthy 14 than negligence." *Farmer*, 511 U.S. at 835-36 & n. 4 (1994); *Toguchi v. Chung*, 391 F.3d 1051, 15 1057 (9th Cir. 2004). 16 Here, plaintiff alleges defendants failed to train staff to take steps to prevent plaintiff's fall 17 on October 18, 2024. Plaintiff thus asserts an ordinary lack of due care which did not constitute 18 deliberate indifference to his safety. 19 In addition, the existence of a prison grievance procedure establishes a procedural right 20 only and "does not confer any substantive right upon the inmates." *Buckley v. Barlow*, 997 F.2d 21 494, 495 (8th Cir. 1993) (citation omitted). "The Fourteenth Amendment's Due Process Clause 22 protects persons against deprivations of life, liberty, or property; and those who seek to invoke its 23 procedural protection must establish that one of these interests is at stake." *Wilkinson v. Austin*, 24 545 U.S. 209, 221 (2005). Plaintiff cannot show a protected interest is at stake as he has no 25 constitutional entitlement to a specific prison grievance procedure. See *Ramirez v. Galaza*, 334 26 F.3d 850, 860 (9th Cir. 2003) (no liberty interest in processing of appeals in the absence of 27 entitlement to a specific grievance procedure). Accordingly, the complaint fails to state a claim 28 and must be dismissed. 1 V. Leave to Amend 2 Leave to amend should be granted if it appears possible that the defects in the complaint 3 could be corrected, especially if a plaintiff is pro se. *Lopez v. Smith*, 203 F.3d 1122, 1130-31 4 (9th Cir. 2000) (en banc). However, if it is clear that a complaint cannot be cured by amendment, 5 the court may dismiss without leave to amend. *Cato v. United States*, 70 F.3d 1103, 1105-06 (9th

6 Cir. 1995). In this instance, further amendment would be futile. Plaintiff cannot state a civil rights

7 claim based on allegations of lack of due care for his safety in the form of failure to train staff to 8 prevent plaintiff's fall or on allegations that he did not receive a timely response to his grievance. 9 Plaintiff's complaint should be dismissed without leave to amend. See *Klamath-Lake Pharm. 10 Ass'n v. Klamath Med. Serv. Bureau*, 701 F.2d 1276, 1293 (9th Cir. 1983) (holding that while 11 leave to amend shall be freely given, the court does not have to allow futile amendments). 12 VI. Plain Language Summary for Pro Se Party 13 The following information is meant to explain this order in plain English. This summary 14 is not intended as legal advice. 15 There is no claim under the civil rights statute for your allegations that defendants failed 16 to train staff to prevent your fall and untimeliness of the grievance procedure. Thus, it is being 17

recommended that your case be dismissed without leave to amend. If you disagree, you have 14 18 days to inform the court. Label your explanation “Objections to the Magistrate Judge’s Findings 19 and Recommendations” and state the additional specific facts you could allege to state a claim. 20 VII. Order and Recommendation 21 In accordance with the above, IT IS HEREBY ORDERED as follows: 22 1. Plaintiff’s request to proceed in forma pauperis (ECF No. 5) is GRANTED. 23 2. The Clerk of the Court is directed to assign a district judge to this case. In 24 addition, IT IS HEREBY RECOMMENDED as follows: 25 1. Plaintiff’s complaint be dismissed without leave to amend for failure to state a claim. 26 2. The Clerk of the Court be directed to close this case. 27 These findings and recommendations are submitted to the United States District Judge 28 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within 14 days after 1 | being served with these findings and recommendations, plaintiff may file written objections with 2 || the court and serve a copy on all parties. Such a document should be captioned “Objections to 3 || Magistrate Judge’s Findings and Recommendations.” Failure to file objections within the 4 | specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 5 |} 1153 (9th Cir. 1991). 6 || Dated: September 11, 2025 / a8 } i | / p , {a ce
8 UNITED STATES MAGISTRATE JUDGE
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