

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Jones v. City of Vallejo

Jones · No. 2:24-cv-01199-CSK · Decided April 10, 2025

SUMMARY

This document is a pretrial scheduling order and order dismissing Doe defendants in a civil-rights action arising from a nonfatal officer-involved shooting. The court establishes discovery, motion, settlement, pretrial, and trial deadlines, and dismisses the Doe defendants while permitting a motion to amend if additional defendants are later identified. The case is assigned for trial before United States Magistrate Judge Chi Soo Kim.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Chi Soo Kim
DECIDED	April 10, 2025
DOCKET	2:24-cv-01199-CSK
DISPOSITION	other
PROCEDURAL POSTURE	Pretrial scheduling order entered after an initial pretrial scheduling conference in a federal civil-rights action; the court also dismissed the Doe defendants.
PRECEDENTIAL VALUE	nonprecedential case-management order

TOPICS

civil procedure joinder service of process discovery dispute civil rights

PRACTICE AREAS

civil rights civil procedure municipal law torts

QUESTIONS PRESENTED

- Whether the Doe defendants should remain parties when all identified defendants had been served and no additional joinder was then anticipated.
- What requirements govern amendment of the pleadings, joinder of additional parties, and modification of the scheduling order.

3. Whether federal-question jurisdiction and venue were proper.

HOLDINGS

1. The Doe defendants were dismissed from the action because the inclusion of Doe defendants is generally disfavored in the Ninth Circuit and the parties did not anticipate immediate joinder of additional parties.
2. No further service, joinder of parties, or amendment of pleadings is permitted without leave of court and a showing of good cause.
3. The scheduling order may be modified only by leave of court upon a showing of good cause; party agreement, witness or counsel unavailability absent extraordinary circumstances, and general assertions that modification will promote settlement do not independently establish good cause.
4. Federal-question jurisdiction was proper, and venue was proper and undisputed.

KEY QUOTATIONS

“The Doe Defendants are hereby DISMISSED from this case, and should Plaintiff wish to amend to add additional named defendants after discovering their identities, Plaintiff may file a motion to amend and submit this motion for the Court’s review.” (at 2)

“Agreement by the parties pursuant to a stipulation does not constitute good cause. Nor does the unavailability of witnesses or counsel, except in extraordinary circumstances, constitute good cause.” (at 12)

FACTUAL BACKGROUND

The case arises from a non-fatal officer-involved shooting on August 19, 2019. Jones alleges that Officer Komoda used excessive force and asserts claims under 42 U.S.C. § 1983, including excessive force and Monell liability, as well as California statutory and common-law tort claims. Defendants dispute the allegations and liability.

PROCEDURAL HISTORY

Bryson Jones filed a First Amended Complaint against the City of Vallejo and other defendants arising from a 2019 officer-involved shooting. All named defendants had been served and answered. After reviewing the parties' joint status reports and conducting an initial pretrial scheduling conference on April 8, 2025, the court issued a scheduling order and dismissed the 50 Doe defendants, while allowing plaintiff to seek leave to amend if additional defendants were later identified.

DISPOSITION

other

CASES CITED

- *Soo Park v. Thompson*, 851 F.3d 910, 928 n.21 (9th Cir. 2017)
- *Gillespie v. Civiletti*, 629 F.2d 637, 642 (9th Cir. 1980)

- Johnson v. Mammoth Recreations, Inc., 975 F.2d 604 (9th Cir. 1992)

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