

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Cage v. Johnson

Cage v. Johnson · No. 1:22-cv-01429-CDB (PC) · Decided July 14, 2025

SUMMARY

The United States District Court for the Eastern District of California granted Defendant Rojas’s unopposed motion for summary judgment in Jim Cage’s 42 U.S.C. § 1983 action alleging Eighth Amendment excessive force. The court concluded that the evidence showed the force used during a cell extraction was necessary, appropriate, proportional, and intended to address Plaintiff’s attempt to access Defendant’s baton. The court directed the Clerk to enter judgment for Defendant Rojas and close the case.

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	July 14, 2025
DOCKET	1:22-cv-01429-CDB (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought a pro se 42 U.S.C. § 1983 action alleging that correctional officer Rojas used excessive force in violation of the Eighth Amendment. Defendant moved for summary judgment, which plaintiff did not oppose despite notice and an extension of time.
STANDARD OF REVIEW	Summary judgment is proper when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. An unopposed motion may be granted when the moving papers independently warrant judgment and do not reveal a genuine issue of material fact. The court must view the evidence and reasonable inferences in favor of the nonmoving party, but the nonmoving party must produce evidence establishing a genuine, material factual dispute.
PRECEDENTIAL VALUE	unpublished, nonprecedential federal district-court order
PARTIES	Jim Cage v. A. Johnson, Rojas

TOPICS

summary judgment

prisoners rights

police misconduct

section 1983

cruel and unusual punishment

PRACTICE AREAS

civil rights

prisoner civil rights

constitutional litigation

civil procedure

QUESTIONS PRESENTED

1. Whether defendant was entitled to summary judgment on Cage's Eighth Amendment excessive-force claim.
2. Whether the record showed no genuine dispute that the force was necessary, appropriate, proportional, and tempered to the circumstances.
3. Whether plaintiff's failure to oppose the motion and produce evidence required judgment for defendant.

HOLDINGS

1. Defendant was entitled to summary judgment because the undisputed record showed that the force was used to overcome plaintiff's grasp on defendant's forearm and prevent plaintiff from accessing defendant's baton, rather than maliciously or sadistically to cause harm.
2. A court may grant an unopposed summary-judgment motion when the moving papers are sufficient on their face to warrant judgment and do not reveal a genuine issue of material fact; plaintiff's failure to produce evidence meant he did not meet his burden after defendant met the initial burden.

KEY QUOTATIONS

“whenever prison officials stand accused of using excessive physical force ..., the core judicial inquiry is ... whether force was applied in a good-faith effort to maintain or restore discipline, or maliciously and sadistically to cause harm.” (at 6)

“Here, the record taken as a whole would not lead a rational trier of fact to find for Plaintiff.” (at 10)

FACTUAL BACKGROUND

Cage, a California state prisoner, refused for several hours to submit to restraints and return to his cell after a video visit, despite verbal persuasion, clinical intervention, a cooling-off period, and applications of chemical agent. During a subsequent cell extraction, the defense evidence showed that Cage refused orders to prone, struck a shield, reached for Rojas's baton, and grasped Rojas's forearm. Rojas used approximately sixteen closed-baton strikes to Cage's left arm to remove the grasp and prevent access to the baton; medical documentation did not show a physical injury caused by the force.

PROCEDURAL HISTORY

The court screened the complaint and allowed an Eighth Amendment excessive-force claim to proceed against Rojas while dismissing the remaining claims against other defendants. After discovery, Rojas moved for summary judgment. Plaintiff failed to oppose the motion or respond to an order to show cause, and the court

treated the motion as unopposed. The court granted summary judgment and directed the Clerk to enter judgment for Rojas and close the case.

DISPOSITION

other

CASES CITED

- Celotex Corp. v. Catrett, 477 U.S. 317, 322 (1986)
- Matsushita Elec. Indus. Co. v. Zenith Radio Corp., 475 U.S. 574, 586, 586 n.11, 587 (1986)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248, 255 (1986)
- T.W. Elec. Serv., Inc. v. Pacific Elec. Contractors Ass'n, 809 F.2d 626, 630-31 (9th Cir. 1987)
- Wool v. Tandem Computers, Inc., 818 F.2d 1433, 1436 (9th Cir. 1987)
- Richards v. [citation incomplete in source]
- Henry v. Gill Industries, Inc., 983 F.2d 943, 950 (9th Cir. 1993)
- Whitley v. Albers, 475 U.S. 312, 328 (1986)
- Gordon v. Faber, 800 F. Supp. 797, 800 (N.D. Iowa 1992)
- Battle v. Anderson, 564 F.2d 388, 395 (10th Cir. 1977)
- Farmer v. Brennan, 511 U.S. 825, 834 (1994)
- Hoard v. Hartman, 904 F.3d 780, 788 (9th Cir. 2018)
- Hudson v. McMillian, 503 U.S. 1, 6-7 (1992)
- McElyea v. Babbitt, 833 F.2d 196, 197-98 (9th Cir. 1987)
- Lew v. Kona Hospital, 754 F.2d 1420, 1423 (9th Cir. 1985)
- Beard v. Banks, 548 U.S. 521, 527 (2006)
- Brito v. Barr, No. 2:18-cv-00097-KJM-DB, 2020 WL 4003824, at *6 (E.D. Cal. July 15, 2020)