

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Jakubowski v. Clendenin

No. 1:23-cv-00897-JLT-EPG (PC) (E.D. Cal. Mar. 25, 2025) · No. 1:23-cv-00897 JLT EPG (PC) · Decided
March 25, 2025

OPINION

(PC) Jakubowski v. Clendenin

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 DAVID JAKUBOWSKI,) Case No.: 1:23-cv-00897 JLT EPG (PC)) 12 Plaintiff,) ORDER
ADOPTING FINDINGS AND

) RECOMMENDATIONS AND DENYING

13 v.) DEFENDANTS’ MOTION TO DISMISS

) 14 STEPHANIE CLENDENIN, et al.,) (Docs. 12, 16)) 15 Defendants.)) 16) 17 David
Jakubowski is a civil detainee and seeks to hold the defendants liable for violations of 18 his civil
rights under the Fourteenth Amendment while housed at the Department of State Hospitals, 19
Coalinga. (See generally Doc. 1.) Defendants moved to dismiss the complaint pursuant to Rule 20
12(b)(6) of the Federal Rules of Civil Procedure, arguing Plaintiff failed to state a claim upon
which 21 relief may be granted. (Doc. 12.) 22 The magistrate judge found Defendants’ motion to
dismiss Plaintiff’s claim regarding the right 23 to access adequate mental health treatment was
premised on an incorrect legal standard. (Doc. 16 at 7.) 24 The magistrate judge noted Defendants
argued Plaintiff “failed to adequately plead the elements of an 25 Eighth Amendment claim for
deliberate indifference to serious medical needs,” (id.) and found this is 26 not the standard that
applies to civilly committed detainees such as Plaintiff. (Id. at 7-9.) In addition, 27 the magistrate
judge observed that “none of the cases Defendants rely upon in their motion to dismiss 28 involve
civilly committed detainees—let alone those held under the [Sexually Violent Predator Act].” 1 ||
Ud. at 9.) Because the cited authorities did not “address the rights of civil detainees,” the
magistrate 2 judge found “they have no bearing on Plaintiffs claims.” (/d. at 9.) 3 The magistrate
judge also rejected Defendants’ arguments regarding Plaintiff’s second claim | 4 || the right to be
free from punishment as a civil detainee. (Doc. 16 at 10-14.) The magistrate judge ag 5 || found
“Defendants’ position is based on an erroneous legal standard” because Defendants maintainec 6 ||
Plaintiff failed to show they acted with deliberate indifference. (Ud. at 12.) Instead, the magistrate
7 judge found “the substantive due process standard applies” to individuals such as Plaintiff. (/d.
at 12. 8 || 13, citing *Jones v. Blanas*, 393 F.3d 918, 931-32 (9th Cir. 2004).) Therefore, the

magistrate judge 9 || recommended the Court deny Defendants motion to dismiss. (Jd. at 14.) 10
The Court served the Findings and Recommendations on the parties and notified them that an 11 ||
objections were due within 30 days. (Doc. 16 at 14.) The Court advised the parties that the “failure
t 12 || file objections within the specified time may result in the waiver rights on appeal.” (/d.,
citing 13 || *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) Neither Plaintiff nor
Defendants filed 14 || objections, and the time to do so has passed. 15 According to 28 U.S.C. §
636(b)(1), this Court performed a de novo review of this case. 16 || Having carefully reviewed the
matter, the Court concludes the Findings and Recommendations are 17 || supported by the record
and proper analysis. Thus, the Court ORDERS: 18 1. The Findings and Recommendations dated
February 18, 2025 (Doc. 16) are 19 ADOPTED in full. 20 2. Defendants’ motion to dismiss (Doc.
12) is DENIED. 21 3. The matter is referred to the magistrate judge for further proceedings. 22 23
IT IS SO ORDERED. 24 |! Dated: _-March 25, 2025 (LAW pA L. wan
25 TED STATES DISTRICT JUDGE
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