

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Williams v. City of Sacramento

No. 2:24-cv-0768-TLN-JDP (PS) (E.D. Cal. May 1, 2025) · No. 2:24-cv-0768-TLN-JDP (PS) · Decided May 1, 2025

SUMMARY

The document is a magistrate judge’s findings and recommendations in a Section 1983 action brought by Donta Williams against the City of Sacramento and other municipal defendants. The court recommends dismissal without leave to amend because the second amended complaint failed to identify a municipal policy, custom, or practice causing the alleged detention and destruction of personal property. The recommendations were issued under 28 U.S.C. § 636(b)(1), with fourteen days allowed for objections.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 1, 2025
DOCKET	2:24-cv-0768-TLN-JDP (PS)
DISPOSITION	other
PROCEDURAL POSTURE	A pro se plaintiff proceeding in forma pauperis filed a second amended complaint under 42 U.S.C. § 1983. A magistrate judge screened the complaint and issued findings and recommendations that the action be dismissed without leave to amend for failure to state a claim.
STANDARD OF REVIEW	At the screening stage under 28 U.S.C. § 1915(e), the court must dismiss claims that are frivolous or malicious, fail to state a claim upon which relief may be granted, or seek monetary relief from an immune defendant. The complaint must contain sufficient factual matter to state a plausible claim under Federal Rule of Civil Procedure 8(a)(2), and a pro se complaint is construed liberally, although the court may not supply essential elements that were not pleaded.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

section 1983

municipal liability

pleadings

motions to dismiss

civil procedure

PRACTICE AREAS

civil rights

civil procedure

municipal liability

QUESTIONS PRESENTED

1. Whether the second amended complaint stated a plausible § 1983 claim against municipal defendants without identifying a policy, custom, or practice that caused the alleged constitutional injuries.
2. Whether plaintiff should be granted further leave to amend after failing to cure the same pleading deficiency in three complaints.

HOLDINGS

1. A plaintiff suing municipal entities under § 1983 must identify a specific policy, custom, or practice of the entity and plausibly explain how it caused the alleged constitutional injury. Because the second amended complaint did not do so, it failed to state a claim.
2. Further leave to amend should be denied where the plaintiff has repeatedly failed to cure a previously identified pleading deficiency.

KEY QUOTATIONS

“The second amended complaint still fails to identify a specific policy, custom, or practice underlying the alleged violations.” (at 1)

“At best, plaintiff alleges that the City of Sacramento ordered the sweep, ECF No. 9 at 8, but does not connect the violations of his rights that occurred because of the sweep to any specific, identifiable policy or custom.” (at 2)

FACTUAL BACKGROUND

During a sweep of Stockton Boulevard in Sacramento, where plaintiff maintained an encampment, unnamed Sacramento Police Department officers allegedly confiscated and destroyed some of his personal property, including his phone, and briefly detained him. Plaintiff sued the City of Sacramento, the Sacramento Police Department, the Department of Community Response, and Forensiclean, but did not identify a specific municipal policy, custom, or practice that caused the alleged detention or property deprivation.

PROCEDURAL HISTORY

Plaintiff previously received notice that municipal defendants could be liable under § 1983 only if he identified a policy, custom, or practice that was the moving force behind the alleged constitutional violations. After plaintiff filed a second amended complaint, the magistrate judge concluded that he still had not identified such a policy,

custom, or practice 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.

DISPOSITION

other

CASES CITED

- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Kobold v. Good Samaritan Regional Medical Center, 832 F.3d 1024, 1038 (9th Cir. 2016)
- Nagrampa v. MailCoups, Inc., 469 F.3d 1257, 1264 n.2 (9th Cir. 2006) (en banc)
- Haines v. Kerner, 404 U.S. 519, 520 (1972) (per curiam)
- Hayes v. Idaho Correctional Center, 849 F.3d 1204, 1208 (9th Cir. 2017)
- Bruns v. National Credit Union Administration, 122 F.3d 1251, 1257 (9th Cir. 1997)
- Ivey v. Board of Regents, 673 F.2d 266, 268 (9th Cir. 1982)
- Sadoski v. Mosley, 435 F.3d 1076, 1079-80 (9th Cir. 2006)
- Buckley v. County of San Mateo, No. 16-cv-07314-JD, 2018 U.S. Dist. LEXIS 104370, at *8 (N.D. Cal. June 21, 2018)
- Moore v. Kayport Package Express, 885 F.2d 531, 538 (9th Cir. 1989)
- Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998)
- Martinez v. Yist, 951 F.2d 1153 (9th Cir. 1991)

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