

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Arvind Vyas Gopal v. Johnson, et al.

Gopal v. Johnson · No. 2:25-cv-1372-DAD-CKD · Decided October 10, 2025

SUMMARY

The United States District Court for the Eastern District of California grants the plaintiff's motion to proceed in forma pauperis. The court dismisses the prisoner’s 42 U.S.C. § 1983 complaint for failing to state an Eighth Amendment failure-to-protect claim against Officer Johnson. The dismissal is with leave to amend within 30 days.

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	October 10, 2025
DOCKET	2:25-cv-1372-DAD-CKD
DISPOSITION	dismissed
PROCEDURAL POSTURE	A state prisoner proceeding pro se under 42 U.S.C. § 1983 filed a complaint and moved to proceed in forma pauperis. The court screened the complaint under 28 U.S.C. § 1915A, granted in forma pauperis status, dismissed the complaint for failure to state a claim, and granted leave to amend.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court must dismiss a prisoner's complaint that is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant. For an Eighth Amendment failure-to-protect claim, the allegations must show an objectively sufficiently serious risk and deliberate indifference by the prison official.
PRECEDENTIAL VALUE	Unpublished district-court order; limited persuasive value and not binding precedent outside the case.

TOPICS

- prisoners rights
- section 1983
- civil rights
- pleadings
- civil procedure

PRACTICE AREAS

civil rights

prisoner litigation

federal civil procedure

QUESTIONS PRESENTED

1. Whether the complaint stated an Eighth Amendment failure-to-protect claim against Officer Johnson.
2. Whether the complaint should be dismissed under the prisoner-screening requirements of 28 U.S.C. § 1915A.
3. Whether plaintiff should be granted leave to amend.

HOLDINGS

1. The complaint failed to state an Eighth Amendment failure-to-protect claim because its vague allegations did not show that Officer Johnson was deliberately indifferent to a substantial risk of serious harm.
2. Plaintiff was granted leave to amend the complaint within thirty days, subject to the requirement that the amended complaint be complete, comply with applicable rules, and concern the same case rather than new unrelated claims.

KEY QUOTATIONS

“The allegations are too vague and insufficient to state a “failure-to-protect” Eighth Amendment violation claim.” (1)

“In order to be liable under the Eighth Amendment, a prison official must have known of and disregarded a substantial risk of serious harm to the plaintiff.” (2)

“Plaintiff is granted thirty days from the date of service of this order to file an amended complaint that complies with the requirements of the Civil Rights Act, the Federal Rules of Civil Procedure, and the Local Rules of Practice.” (3)

FACTUAL BACKGROUND

Plaintiff was incarcerated at Folsom State Prison and alleged that his cellmate assaulted him on March 8, 2024. Before the assault, plaintiff told Officer Johnson on several occasions that he was not compatible with his cellmate and requested help. The court found the allegations too vague to show that Johnson knew of and disregarded a substantial risk of serious harm.

PROCEDURAL HISTORY

Plaintiff filed a prisoner civil-rights complaint alleging that Officer Johnson failed to prevent a cellmate assault. The matter was referred to the undersigned under Local Rule 302 and 28 U.S.C. § 636(b)(1). The court granted plaintiff's motion to proceed in forma pauperis, found the complaint insufficient under the prisoner-screening statute, dismissed it with leave to amend, and allowed thirty days to file an amended complaint.

DISPOSITION

dismissed

CASES CITED

- Farmer v. Brennan, 511 U.S. 825, 834 (1994)
- Hearn v. Terhune, 413 F.3d 1036, 1040, 1042 (9th Cir. 2005)
- Berg v. Kincheloe, 794 F.2d 457, 459 (9th Cir. 1986)
- Williams v. Wood, 223 F. App'x 670, 671 (9th Cir. 2007)
- Weilburg v. Shapiro, 488 F.3d 1202, 1205 (9th Cir. 2007)
- George v. Smith, 507 F.3d 605, 607 (7th Cir. 2007)
- Loux v. Rhay, 375 F.2d 55, 57 (9th Cir. 1967)

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