

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Trammel v. Ramos

No. 2:23-cv-01111 KJM AC P (E.D. Cal. Aug. 14, 2025) · No. 2:23-cv-01111 KJM AC P · Decided August 14, 2025

SUMMARY

The United States District Court for the Eastern District of California addresses defendants’ motion to stay a prisoner’s § 1983 excessive-force action pending related state criminal proceedings and plaintiff’s motion to appoint counsel. The court grants judicial notice of the state preliminary-hearing transcript, denies appointment of counsel, and recommends denying the stay because Pullman, Heck, and Younger doctrines do not warrant abstention or suspension of the case. The matter is submitted to the assigned district judge for review, with the parties given thirty days to file dispositive motions if the recommendation is adopted.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Allison Claire
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	August 14, 2025
DOCKET	2:23-cv-01111 KJM AC P
DISPOSITION	other
PROCEDURAL POSTURE	A state prisoner brought a 42 U.S.C. § 1983 action alleging that correctional officers used excessive force in violation of the Eighth Amendment. Defendants moved to stay the federal action pending resolution of related state criminal charges, and plaintiff moved for appointment of counsel. The magistrate judge granted judicial notice of a state-court preliminary-hearing transcript, denied appointment of counsel, and recommended denial of the motion to stay.
STANDARD OF REVIEW	The court applied the Pullman, Younger, and Heck standards to the motion to stay and the exceptional-circumstances standard to the motion for appointment of counsel. The court also applied Federal Rule of Evidence 201(b) to the request for judicial notice.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

civil procedure

prisoners rights

section 1983

civil rights

federalism

PRACTICE AREAS

civil rights

prisoner litigation

federal civil procedure

abstention

appointment of counsel

QUESTIONS PRESENTED

1. Whether the federal § 1983 action should be stayed under the Pullman abstention doctrine because related state criminal proceedings were pending.
2. Whether a future conviction on the state battery charges would necessarily imply the invalidity of plaintiff's excessive-force claim under *Heck v. Humphrey*.
3. Whether Younger abstention warranted a stay of the federal damages action.
4. Whether plaintiff demonstrated exceptional circumstances warranting appointment of counsel under 28 U.S.C. § 1915(e)(1).
5. Whether the preliminary-hearing transcript was an appropriate subject of judicial notice under Federal Rule of Evidence 201(b).

HOLDINGS

1. A pending state criminal prosecution, without an uncertain or disputed state-law issue whose resolution could moot or narrow the federal constitutional claim, does not satisfy the requirements for Pullman abstention. The motion to stay was therefore not warranted under Pullman.
2. The pending state battery charges did not establish that plaintiff's § 1983 excessive-force claim would necessarily imply the invalidity of a future conviction. A conviction under California Penal Code § 4501.5 could coexist with a finding that correctional officers used excessive force in responding to plaintiff.
3. Younger abstention did not warrant staying plaintiff's federal damages action because the requested relief would not enjoin, or have the practical effect of enjoining, the ongoing state criminal proceedings.
4. Plaintiff did not demonstrate exceptional circumstances warranting appointment or requested voluntary assistance of counsel in his § 1983 action.
5. The court could take judicial notice of the preliminary-hearing transcript because it was a public record and not subject to reasonable dispute.

KEY QUOTATIONS

"Pullman abstention is an equitable doctrine that allows federal courts to refrain from deciding sensitive federal constitutional questions when state law issues may moot or narrow the constitutional questions." (at 4)

“[I]f the district court determines that the plaintiff’s action, even if successful, will not demonstrate the invalidity of any outstanding criminal judgment against the plaintiff, the action should be allowed to proceed.” (at 5)

“Younger abstention is a jurisprudential doctrine rooted in overlapping principles of equity, comity, and federalism.” (at 9)

“[W]hen damages are at issue rather than discretionary relief, deference—rather than dismissal—is the proper restraint.” (at 10)

FACTUAL BACKGROUND

Plaintiff, a state prisoner, alleges that on April 27, 2023, defendants entered his cell and beat him with a baton and closed fists, constituting excessive force under the Eighth Amendment. Plaintiff was also charged in Solano County Superior Court with two counts of felony battery by a prisoner on a non-prisoner under California Penal Code § 4501.5, arising from the same incident. The preliminary-hearing evidence described plaintiff attacking or resisting correctional officers and an officer striking plaintiff during the response, but the court concluded that plaintiff could be guilty of the charged battery while also prevailing on an excessive-force claim.

PROCEDURAL HISTORY

The complaint was screened and found to state cognizable Eighth Amendment claims against Ramos, Ortiz-Zamora, and Ortiz-Garcia. Defendants moved to stay the action under Pullman abstention; the magistrate judge initially recommended denial, also concluding that Younger abstention and Heck did not warrant a stay. After defendants objected and expanded their Younger and Heck arguments, the prior findings and recommendations were vacated and supplemental briefing was ordered. The present order denies appointment of counsel and recommends denying the stay, while allowing thirty days for dispositive motions; the findings and recommendations were subject to objections under 28 U.S.C. § 636(b)(1).

DISPOSITION

other

CASES CITED

- Railroad Commission of Texas v. Pullman Co., 312 U.S. 496 (1941)
- Younger v. Harris, 401 U.S. 37 (1971)
- Heck v. Humphrey, 512 U.S. 477 (1994)
- San Remo Hotel v. City and County of San Francisco, 145 F.3d 1095, 1104 (9th Cir. 1998)
- Sinclair Oil Corp. v. County of Santa Barbara, 96 F.3d 401, 409 (9th Cir. 1996)
- Pearl Investment Co. v. City and County of San Francisco, 774 F.2d 1460, 1463 (9th Cir. 1985)
- Moore v. Sims, 442 U.S. 415, 428, 432 (1979)
- Lazarus v. Baca, 389 F. App'x 700, 700 (9th Cir. 2010)
- Kelly v. Robinson, 479 U.S. 36, 49 (1986)

- *Rose v. Mitchell*, 443 U.S. 545, 585 (1979)
- *Peridot Tree, Inc. v. City of Sacramento*, 94 F.4th 916, 929 (9th Cir. 2024)
- *Kusper v. Pontikes*, 414 U.S. 51, 54 (1973)
- *Edwards v. Balisok*, 520 U.S. 641, 643 (1997)
- *Cunningham v. Gates*, 312 F.3d 1148, 1151, 1153-55 (9th Cir. 2002)
- *Lemos v. County of Sonoma*, 40 F.4th 1002, 1006 (9th Cir. 2022)
- *Rodriguez v. City of Modesto*, 535 F. App'x 643, 645 (9th Cir. 2013)
- *Hooper v. County of San Diego*, 629 F.3d 1127, 1132 (9th Cir. 2011)
- *Yount v. City of Sacramento*, 43 Cal. 4th 885, 898-99 (2008)
- *People v. Cruz*, 44 Cal. 4th 636, 673 (2008)
- *San Jose Silicon Valley Chamber of Commerce Political Action Committee v. City of San Jose*, 546 F.3d 1087, 1091-92 (9th Cir. 2008)
- *Arevalo v. Hennessy*, 882 F.3d 763, 765 (9th Cir. 2018)
- *ReadyLink Healthcare, Inc. v. State Compensation Insurance Fund*, 754 F.3d 754, 758 (9th Cir. 2014)
- *Gilbertson v. Albright*, 381 F.3d 965, 984 (9th Cir. 2004) (en banc)
- *Pennzoil Co. v. Texaco, Inc.*, 481 U.S. 1, 14 (1987)
- *Mallard v. United States District Court*, 490 U.S. 296, 298 (1989)
- *Terrell v. Brewer*, 935 F.2d 1015, 1017 (9th Cir. 1991)
- *Wood v. Housewright*, 900 F.2d 1332, 1335-36 (9th Cir. 1990)
- *Palmer v. Valdez*, 560 F.3d 965, 970 (9th Cir. 2009)
- *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983)
- *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991)