

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Hammitt v. El Dorado County Jail, et al.

No. 2:24-cv-2863-JDP (P), 2025 WL unavailable (E.D. Cal. Apr. 17, 2025) · No. 2:24-cv-2863-JDP (P) ·
Decided April 18, 2025

SUMMARY

The United States District Court for the Eastern District of California screened Thomas Franklin Hammitt’s first amended complaint alleging that jail restraint policies and unsafe transport-van conditions violated his Fourteenth Amendment rights. The court dismissed claims against El Dorado County Jail and Deputy Sheriff Duncan but found potentially cognizable claims against Sheriff Jeff Leikauf based on alleged policies or practices involving shackling and transport safety. The court directed Hammitt either to proceed against Leikauf or file a further amended complaint within thirty days.

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	April 18, 2025
DOCKET	2:24-cv-2863-JDP (P)
DISPOSITION	other
PROCEDURAL POSTURE	Screening of a pro se pretrial detainee's first amended complaint under 28 U.S.C. § 1915(e).
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e), the court must dismiss claims that are frivolous, malicious, fail to state a claim, or seek monetary relief from an immune defendant. The court applied the Rule 8(a)(2) and Twombly/Iqbal plausibility standard and construed the pro se pleading liberally.
PRECEDENTIAL VALUE	unpublished district court screening order; precedential status unknown
PARTIES	Thomas Franklin Hammitt v. El Dorado County Jail, Jeff Leikauf, Duncan

TOPICS

section 1983 prisoners rights fourteenth amendment pleadings civil procedure

PRACTICE AREAS

civil rights prisoner civil rights constitutional litigation federal civil procedure

QUESTIONS PRESENTED

1. Whether the claims against El Dorado County Jail stated a cognizable claim for monetary damages under 42 U.S.C. § 1983.
2. Whether the allegations that Deputy Sheriff Duncan failed to assist Hammitt when his shackles became entangled stated a Fourteenth Amendment excessive-force claim.
3. Whether the allegations concerning Sheriff Leikauf's policies or practices regarding shackling and transport vans stated potentially cognizable Fourteenth Amendment claims under § 1983.

HOLDINGS

1. The claim against El Dorado County Jail was not cognizable because a § 1983 damages claim must be brought against a person acting under color of state law, and a state or its entities are not persons for purposes of § 1983.
2. The allegations against Duncan failed to state a cognizable Fourteenth Amendment excessive-force claim because Hammitt did not allege that Duncan used force against him.
3. The allegations against Sheriff Leikauf stated potentially cognizable Fourteenth Amendment claims based on alleged policies or practices of shackling Hammitt and placing him in an unsafe transport van, where those policies or practices allegedly caused his injury.

KEY QUOTATIONS

“Because a § 1983 claim for monetary damages can only be brought against a person acting under color of state law, and a state and its entities are not “persons” for purposes of § 1983, plaintiff fails to state a claim against El Dorado County Jail.” (at 3)

“As such, plaintiff’s Fourteenth Amendment excessive force claims against Sheriff Leikauf based on his practice of shackling plaintiff and then placing him in an unsafe transport van which resulting in plaintiff breaking his toe may proceed.” (at 4)

FACTUAL BACKGROUND

Hammitt, a county pretrial detainee, alleged that he broke his toe while exiting a jail transport van while shackled at the waist and feet. He alleged that Sheriff Leikauf maintained policies or practices involving classification-based leg restraints and the purchase or use of transport vans without adequate safety testing, handrails, or safe transitions for shackled detainees. Hammitt alleged that Deputy Duncan saw the shackles become entangled but did not intervene. He sought monetary damages.

PROCEDURAL HISTORY

Hammitt filed a first amended complaint alleging that El Dorado County Jail, Sheriff Jeff Leikauf, and Deputy Sheriff Duncan violated his Fourteenth Amendment rights through excessive force and unsafe transportation conditions that resulted in a broken toe. The court screened the complaint, dismissed the claims against El Dorado County Jail and Duncan for failure to state a cognizable claim, and allowed potentially cognizable claims against Leikauf to proceed. The court gave Hammitt thirty days either to proceed solely against Leikauf or to file a second amended complaint.

DISPOSITION

other

CASES CITED

- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-679 (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)
- Will v. Michigan Department of State Police, 491 U.S. 58, 64 (1989)
- Bank of Lake Tahoe v. Bank of America, 318 F.3d 914, 918 (9th Cir. 2003)
- Kingsley v. Hendrickson, 576 U.S. 389, 396-397 (2015)
- Dougherty v. City of Covina, 654 F.3d 892, 900-901 (9th Cir. 2011)
- Monell v. Department of Social Services, 436 U.S. 658, 694 (1978)
- Thomas v. County of Riverside, 763 F.3d 1167, 1170 (9th Cir. 2014)
- Lacey v. Maricopa County, 693 F.3d 896, 907 n.1 (9th Cir. 2012) (en banc)