

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Blanton v. Fajardo

Blanton v. Fajardo · No. 1:25-cv-01083-EPG (PC) · Decided October 16, 2025

SUMMARY

The United States District Court for the Eastern District of California screened Kenneth Wayne Blanton’s amended 42 U.S.C. § 1983 complaint concerning a dentist’s alleged breaking of his tooth during a dental appointment. The court allowed the Fourteenth Amendment medical-care claim against Henry D. Fajardo to proceed and directed the Clerk to terminate former defendants Tyson Pogue and B. Mendoza from the docket.

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 16, 2025
DOCKET	1:25-cv-01083-EPG (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Screening of an amended 42 U.S.C. § 1983 complaint by a pro se, in forma pauperis pretrial detainee under 28 U.S.C. §§ 1915 and 1915A.
STANDARD OF REVIEW	The court screened the prisoner complaint under 28 U.S.C. § 1915A and the in forma pauperis screening standard under 28 U.S.C. § 1915(e)(2)(B)(ii), accepting well-pleaded factual allegations as true and liberally construing the pro se pleading while disregarding conclusory allegations and unwarranted inferences.
PRECEDENTIAL VALUE	Unknown; district court screening order with no reporter citation
PARTIES	Kenneth Wayne Blanton v. Henry D. Fajardo

TOPICS

- prisoners rights
- health law
- fourteenth amendment
- section 1983
- pleadings

PRACTICE AREAS

- civil rights
- constitutional law
- prisoner litigation
- health law

QUESTIONS PRESENTED

1. Whether the amended complaint plausibly stated a Fourteenth Amendment claim for inadequate medical care by a pretrial detainee against an individual defendant.
2. Whether the amended complaint should proceed past statutory screening under 28 U.S.C. §§ 1915 and 1915A.

HOLDINGS

1. Liberally construed for screening purposes, the amended complaint stated a claim that Defendant Fajardo violated Plaintiff's Fourteenth Amendment right to adequate medical care by breaking Plaintiff's tooth during a dental appointment.
2. The amended complaint's sole claim against Fajardo should proceed past screening, and the court would authorize service of process in due course.

KEY QUOTATIONS

“A complaint is required to contain “a short and plain statement of the claim showing that the pleader is entitled to relief.”” (at 2-3)

“Thus, the plaintiff must “prove more than negligence but less than subjective intent—something akin to reckless disregard.”” (at 3)

FACTUAL BACKGROUND

Plaintiff was incarcerated at the Madera County Jail and alleged that, during a July 18, 2025 dental appointment for a temporary filling, Defendant Fajardo applied excessive pressure and torque with a dental instrument, breaking an adjacent molar. Plaintiff alleged that he experienced immense and continuing pain and other harm, including exposed nerves, infection, sensitivity, and loss of sleep. He further alleged that a prior X-ray showed the tooth was intact and that an incident report documented the damage.

PROCEDURAL HISTORY

Plaintiff filed a civil rights action and later filed an amended complaint naming only dentist Henry D. Fajardo. The court screened the amended complaint, terminated former defendants Tyson Pogue and B. Mendoza from the docket, and allowed the Fourteenth Amendment medical-care claim against Fajardo to proceed past screening. The court stated that it would later issue an order authorizing service of process.

DISPOSITION

other

CASES CITED

- Gordon v. County of Orange, 888 F.3d 1118, 1125 n.4 (9th Cir. 2018)
- Castro, 833 F.3d at 1070-71
- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)

- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Doe I v. Wal-Mart Stores, Inc., 572 F.3d 677, 681 (9th Cir. 2009)
- Hebbe v. Pliler, 627 F.3d 338, 342 (9th Cir. 2010)
- Kingsley, 135 S. Ct. at 2473
- Graham v. Connor, 490 U.S. 386, 396 (1989)
- Daniels, 474 U.S. at 330-31

OPINION

1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA
 9 10 KENNETH WAYNE BLANTON, Case No. 1:25-cv-01083-EPG (PC) 11 Plaintiff, ORDER
 DIRECTING CLERK OF COURT 12 v. TO REVISE DOCKET AND CASE CAPTION
 REGARDING FORMER 13 HENRY D. FAJARDO, DEFENDANTS TYSON POGUE AND B.
 MENDOZA 14 Defendant. ORDER ALLOWING CASE TO PROCEED 15 ON PLAINTIFF'S
 CLAIM THAT DEFENDANT FAJARDO VIOLATED 16 PLAINTIFF'S FOURTEENTH
 AMENDMENT RIGHT TO ADEQUATE 17 MEDICAL CARE 18 (ECF No. 8) 19 20 21 Plaintiff
 Kenneth Wayne Blanton is currently incarcerated at the Madera County Jail 22 and proceeds pro
 se and in forma pauperis in this civil rights action filed under 42 U.S.C. 23 § 1983.

(ECF Nos. 1, 6, 8). As amended, his complaint alleges that his Fourteenth Amendment 24 right to
 medical care was violated because a dentist, Henry D. Fajardo, broke his tooth during a 25 dental
 appointment. 26 Upon review of the amended complaint, the Court will allow this case to proceed
 on 27 Plaintiff's claim that Defendant Fajardo violated Plaintiff's Fourteenth Amendment right to
 28 adequate medical care concerning the incident where Defendant broke Plaintiff's tooth.

1 I. SCREENING REQUIREMENT 2 The Court is required to screen complaints brought by
 prisoners seeking relief against a 3 governmental entity or officer or employee of a governmental
 entity. 28 U.S.C. § 1915A(a). 4 The Court must dismiss a complaint, or a portion of it, if the
 prisoner has raised claims that are 5 frivolous or malicious, that fail to state a claim upon which
 relief may be granted, or that seek 6 monetary relief from a defendant who is immune from such
 relief.

28 U.S.C. § 1915A(b)(1), 7 (2). 8 Additionally, as Plaintiff is proceeding in forma pauperis (ECF
 No. 6), the Court may 9 screen the complaint under 28 U.S.C. § 1915. "Notwithstanding any filing
 fee, or any portion 10 thereof, that may have been paid, the court shall dismiss the case at any time
 if the court 11 determines that the action or appeal fails to state a claim upon which relief may be
 granted." 12 28 U.S.C. § 1915(e)(2)(B)(ii).

13 A complaint is required to contain "a short and plain statement of the claim showing 14 that the
 pleader is entitled to relief." Fed. R. Civ. P. 8(a)(2). Detailed factual allegations are not 15
 required, but "[t]hreadbare recitals of the elements of a cause of action, supported by mere 16

conclusory statements, do not suffice.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (citing *Bell 17 Atlantic Corp. v. Twombly*, 550 U.S. 544, 555 (2007)).

A plaintiff must set forth “sufficient 18 factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” *Id.* 19 (quoting *Twombly*, 550 U.S. at 570). The mere possibility of misconduct falls short of meeting 20 this plausibility standard. *Id.* at 679. While a plaintiff’s allegations are taken as true, courts 21 “are not required to indulge unwarranted inferences.” *Doe I v. Wal-Mart Stores, Inc.*, 572 F.3d 22 677, 681 (9th Cir.

2009) (citation and internal quotation marks omitted). Additionally, a 23 plaintiff’s legal conclusions are not accepted as true. *Iqbal*, 556 U.S. at 678. 24 Pleadings of pro se plaintiffs “must be held to less stringent standards than formal 25 pleadings drafted by lawyers.” *Hebbe v. Pliler*, 627 F.3d 338, 342 (9th Cir. 2010) (holding that 26 pro se complaints should continue to be liberally construed after *Iqbal*).

27 28 1 II. SUMMARY OF PLAINTIFF’S AMENDED COMPLAINT1 2 The amended complaint names a single Defendant, Henry Fajardo, the Facilities Dentist 3 at the Madera County Jail.2 (ECF No. 8, p. 2). 4 Plaintiff brings a single claim alleging the denial of his “right to medical care.” (*Id.* at 5 3). 6 Dr. Henry Fajardo is the dentist at Madera County Jail.

On 7-18-25, I went to Dental for a temporary filling. While inspecting my tooth, Dr. Fajardo was using 7 a mirror attached to a solid metal object. Dr. Jardo wedged the mirror in between the tooth I was supposed to be getting filled & the molar behind it. I tried to 8 notify him to stop but he continued to apply unreasonably amounts of pressure 9 and torque, causing immense pain & ultimately breaking the molar behind the tooth I was there to get filled.

Dental and Medical has been aware of my need 10 for surgery & I have still not had the issue treated as of 10-3-25. I have suffered 11 serious harm including, but not limited to exposed nerves, extreme pain, mental & emotional distress, loss of sleep, physical discomfort, infection, sensitivity. I 12 am a pretrial detainee. I now require a root canal & surgery to fix Dr. Fajardo’s reckless disregard to my wellbeing.

X-rays were taken before the tooth was 13 broken showing it intact & an incident report was filed by an officer with a 14 picture showing the damages when I returned from dental. (*Id.* at 3-4). 15 As for relief, Plaintiff asks for monetary damages, including \$1 million from Defendant. 16 (*Id.* at 4). 17 III. ANALYSIS OF PLAINTIFF’S AMENDED COMPLAINT 18 Plaintiff alleges that he was denied the “right to medical care” and states that he is a 19 pretrial detainee.

Thus, for purposes of screening, the Court will assume that Plaintiff was a 20 pretrial detainee—as opposed to a convicted prisoner—at the time of the incident, as the legal 21 standards differ somewhat based on this distinction. See *Gordon v. Cnty. of Orange*, 888 F.3d 22 1118, 1125 n.4

(9th Cir. 2018) (noting difference between medical-care standards for pretrial detainees and convicted prisoners).

For readability, minor alterations to some of Plaintiff's quotations, like changing capitalization and punctuation, have been made without indicating each change. Because Plaintiff has omitted from his amended complaint the two former Defendants named in his initial complaint—Tyson Pogue and B. Mendoza—the Court will direct the Clerk of Court to terminate them from the docket and revise the case caption.

For pretrial detainees complaining about the denial of the right to adequate medical care, the following legal standards apply: [C]laims for violations of the right to adequate medical care “brought by pretrial detainees against individual defendants under the Fourteenth Amendment” must be evaluated under an objective deliberate indifference standard.

Castro, 833 F.3d at 1070. Based thereon, the elements of a pretrial detainee's medical care claim against an individual defendant under the due process clause of the Fourteenth Amendment are: (i) the defendant made an intentional decision with respect to the conditions under which the plaintiff was confined; (ii) those conditions put the plaintiff at substantial risk of suffering serious harm; (iii) the defendant did not take reasonable available measures to abate that risk, even though a reasonable official in the circumstances would have appreciated the high degree of risk involved—making the consequences of the defendant's conduct obvious; and (iv) by not taking such measures, the defendant caused the plaintiff's injuries. “With respect to the third element, the defendant's conduct must be objectively unreasonable, a test that will necessarily ‘turn[] on the facts and circumstances of each particular case.’” Id. at 1071 (quoting Kingsley, 135 S.Ct. at 2473; *Graham v. Connor*, 490 U.S. 386, 396, 109 S.Ct.

1865, 104 L.Ed.2d 443 (1989)). The “‘mere lack of due care by a state official’ does not deprive an individual of life, liberty, or property under the Fourteenth Amendment.” Id. (quoting *Daniels*, 474 U.S. at 330-31, 106 S.Ct. 662).

Thus, the plaintiff must “prove more than negligence but less than subjective intent— something akin to reckless disregard.” Id. at 1124-25 (9th Cir. 2018) (footnotes omitted). Summarized, Plaintiff alleges that during a dental appointment for a filling, despite him trying “to notify [Dr. Fajardo] to stop,” Dr. Fajardo “continued to apply unreasonable amounts of pressure & torque [with a dental instrument to his molar, the tooth that was not being filled] causing immense pain and ultimately breaking the molar.” Elsewhere, Plaintiff indicates that his tooth was otherwise healthy, i.e., a prior X-ray showed it to be intact.

Further, Plaintiff has suffered greatly from the broken tooth, including extreme pain, loss of sleep, and infection.³ Liberally construed for the purposes of screening, the Court concludes that Plaintiff states a claim, i.e., that Defendant violated Plaintiff's Fourteenth Amendment right

to adequate 25 26 3 The Court notes that Plaintiff states that “Dental & Medical has been aware of [his] need for surgery” 27 but he still has “not had the issue treated as of 10-3-25.” (ECF No. 8, p. 4).

The Court construes these as background allegations, as Dr. Fajardo, the only Defendant, is not alleged to have been directly involved 28 in any lack of treatment following the breaking of Plaintiff’s broken tooth. Thus, the Court does not consider whether such allegations state any claim. 1 || medical care concerning the incident where Defendant broke Plaintiffs tooth.

2 ||IV. CONCLUSION AND ORDER 3 The Court has screened Plaintiff's amended complaint and concludes that his only claim 4 || should proceed past screening. 5 Accordingly, IT IS ORDERED as follows: 6 1. As the amended complaint no longer names Tyson Pogue and B. Mendoza as 7 Defendants, the Clerk of Court is directed to terminate them from the docket and to 8 revise the case caption to Blanton vy.

Fajardo, or some similar styling according to the 9 Clerk of Court’s standard practices. 10 2. This case shall proceed on Plaintiff's claim that Defendant Fajardo violated Plaintiff's 11 Fourteenth Amendment right to adequate medical care concerning the incident where 12 Defendant Fajardo broke Plaintiffs tooth. 13 3.

As the Court has concluded that Plaintiffs only claims should proceed past screening, 14 the Court will, in due course, issue an order authorizing service of process on Defendant 15 Fajardo. 16 IT IS SO ORDERED. 18 || Dated: _ October 16, 2025 ☐☐☐ hey 19 UNITED STATES MAGISTRATE JUDGE 20 21 22 23 24 25 26 27 28