

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Coronel v. Havard

No. 2:24-cv-3087-JDP (P), 2025 U.S. Dist. LEXIS [not available] · No. 2:24-cv-3087-JDP (P) · Decided March 6, 2025

SUMMARY

The United States District Court for the Eastern District of California screens a state inmate’s complaint alleging that a correctional officer used excessive force and filed a false disciplinary charge. The court finds the excessive-force allegation cognizable but concludes that the false-disciplinary-charge allegation does not independently state a due process claim. Because the complaint appears to show failure to exhaust available administrative remedies, the court dismisses the complaint with leave to amend, grants in forma pauperis status, and allows thirty days for amendment or voluntary dismissal.

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	March 6, 2025
DOCKET	2:24-cv-3087-JDP (P)
DISPOSITION	other
PROCEDURAL POSTURE	Screening of a pro se state inmate's complaint under 28 U.S.C. § 1915(e), following an application to proceed in forma pauperis.
STANDARD OF REVIEW	The court screened the in forma pauperis complaint under 28 U.S.C. § 1915(e), accepting well-pleaded factual allegations for purposes of screening, construing the pro se pleading liberally, and determining whether the complaint stated a plausible claim for relief. Failure to exhaust may be resolved at screening when nonexhaustion is clear from the face of the complaint and attached exhibits.
PRECEDENTIAL VALUE	unpublished

TOPICS

prisoners rights

civil rights

section 1983

cruel and unusual punishment

due process

PRACTICE AREAS

civil procedure

prisoner civil rights

constitutional law

remedies

QUESTIONS PRESENTED

1. Whether the complaint plausibly alleged an Eighth Amendment excessive-force claim.
2. Whether the filing of an allegedly false disciplinary charge, standing alone, stated a due-process claim under § 1983.
3. Whether the apparent failure to exhaust available administrative remedies required dismissal at the screening stage.
4. Whether plaintiff should receive leave to amend.

HOLDINGS

1. For purposes of screening, the allegations that Sergeant Havard became angry and threw plaintiff to the floor, causing bruising and emotional distress, were sufficient to state a cognizable Eighth Amendment claim.
2. The issuance of a false rule-violation report, standing alone, does not give rise to a constitutional due-process claim when the prisoner is afforded procedural due process in the disciplinary hearing.
3. Because the complaint indicated that administrative remedies were available but did not show that plaintiff had submitted or fully appealed either claim, the claims appeared unexhausted; the complaint was therefore dismissed with leave to amend so plaintiff could address exhaustion.
4. Plaintiff was granted leave to amend within thirty days and was required either to file a complete amended complaint addressing the deficiencies or to file a notice of voluntary dismissal without prejudice.

KEY QUOTATIONS

“However, plaintiff’s due process allegation fails to state a claim, as the issuance of a false rule violation report does not, on its own, give rise to a constitutional claim.” (1)

“Exhaustion must occur prior to filing suit, and a plaintiff cannot exhaust while the suit is pending.” (2)

FACTUAL BACKGROUND

Hank Richard Coronel, a state inmate at California State Prison-Sacramento, alleged that Sergeant Havard called him to a confidential interview, became angry, and threw him to the floor after asking why he had been fighting. Coronel alleged bruising to his face, head, and body and emotional distress. He also alleged that Havard filed a false disciplinary charge against him. In the complaint, Coronel indicated that administrative remedies were available, but left blank responses concerning submission and appeal of administrative relief for both claims.

PROCEDURAL HISTORY

Plaintiff filed a § 1983 complaint alleging that Sergeant Havard used excessive force and filed a false disciplinary charge. The court granted leave to proceed in forma pauperis, found the excessive-force allegations cognizable for screening purposes, found the due-process claim insufficient, and dismissed the complaint with leave to amend. Plaintiff was given thirty days to file an amended complaint or a notice of voluntary dismissal without prejudice.

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 Reg'l Med. Ctr., 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 Corr. Ctr., 849 F.3d 1204, 1208 (9th Cir. 2017)
- Bruns v. Nat'l Credit Union Admin., 122 F.3d 1251, 1257 (9th Cir. 1997)
- Ivey v. Bd. of Regents, 673 F.2d 266, 268 (9th Cir. 1982)
- Bearchild v. Cobban, 947 F.3d 1130, 1140-41 (9th Cir. 2020)
- Muhammad v. Rubia, No. C 08-3209-JSW, 2010 WL 1260425, at *3 (N.D. Cal. Mar. 29, 2010), aff'd, 453 F. App'x 751 (9th Cir. 2011)
- Ross v. Blake, 578 U.S. 632, 635 (2016)
- Andres v. Marshall, 867 F.3d 1076, 1079 (9th Cir. 2017)
- Albino v. Baca, 747 F.3d 1162, 1166 (9th Cir. 2014)
- Medina v. Sacramento City Sheriff's Dep't, No. 2:16-cv-0765 AC P, 2016 WL 6038181, at *3 (E.D. Cal. Oct. 14, 2016)
- McKinney v. Carey, 311 F.3d 1198, 1199-1201 (9th Cir. 2002)
- Jones v. Bock, 549 U.S. 199, 223-24 (2007)
- Lira v. Herrera, 427 F.3d 1164, 1175-76 (9th Cir. 2005)
- Lacey v. Maricopa County, 693 F.3d 896, 907 n.1 (9th Cir. 2012) (en banc)