

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Daniel C. Ramsey v. N. Thompson

Ramsey · No. 23-cv-1920-JAH-DDL · Decided October 30, 2025

SUMMARY

This Report and Recommendation addresses Defendant N. Thompson’s motion for partial dismissal of Daniel C. Ramsey’s Second Amended Complaint in a prisoner civil-rights action. The court recommends dismissal without leave to amend of Ramsey’s Fourteenth Amendment procedural due process claim and any substantive due process claim, concluding that he alleged no protected liberty interest in his medical classification, prison facility, or transfer location. The court also grants in part and denies in part Ramsey’s motion for judicial notice.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	David D. Leshner
JURISDICTION	United States District Court for the Southern District of California
DECIDED	October 30, 2025
DOCKET	23-cv-1920-JAH-DDL
DISPOSITION	other
PROCEDURAL POSTURE	Report and recommendation on Defendant N. Thompson's motion for partial dismissal under Federal Rule of Civil Procedure 12(b)(6), together with an order addressing Plaintiff's motion for judicial notice.
STANDARD OF REVIEW	Federal Rule of Civil Procedure 12(b)(6) plausibility review; allegations are accepted as true and construed liberally because Plaintiff is proceeding pro se. The report and recommendation was submitted to the district judge under 28 U.S.C. § 636(b).
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Daniel C. Ramsey v. N. Thompson

TOPICS

- section 1983
- prisoners rights
- procedural due process
- qualified immunity
- motions to dismiss

PRACTICE AREAS

civil rights

constitutional law

prisoner litigation

civil procedure

health law

QUESTIONS PRESENTED

1. Whether Ramsey stated a Fourteenth Amendment procedural due process claim based on his transfer to a different prison, change in medical classification, lack of a hearing, and handling of his grievance.
2. Whether Ramsey stated a Fourteenth Amendment substantive due process claim based on the alleged conditions of his cell and related prison conduct.
3. Whether Defendant Thompson was entitled to qualified immunity on the Fourteenth Amendment claims.
4. Whether the court should take judicial notice of documents attached to the Second Amended Complaint and of specified California prison regulations.

HOLDINGS

1. Ramsey failed to state a procedural due process claim because he did not allege deprivation of a constitutionally protected liberty or property interest. A prisoner has no constitutional right to be housed in a particular facility, to retain a particular classification, or to be housed near friends and family absent an allegation that the classification change was made for an unconstitutional reason.
2. The denial or handling of Ramsey's prison grievance did not support a Fourteenth Amendment due process claim because a prison grievance procedure is a procedural mechanism and does not create a substantive liberty interest requiring constitutional procedures.
3. To the extent Ramsey alleged a substantive due process claim concerning his cell conditions, the claim failed because the Eighth Amendment is the specific constitutional provision governing an incarcerated person's challenge to conditions of confinement.
4. Defendant Thompson was entitled to qualified immunity on the Fourteenth Amendment claims because, taking the allegations in the light most favorable to Ramsey, her alleged conduct did not violate a federal right.
5. The court denied in part as moot Ramsey's request to file documents as exhibits, granted judicial notice of the existence of documents attached as Exhibit D but not the truth of their contents, denied judicial notice of handwritten notes in Exhibit E, and granted judicial notice of specified California Code of Regulations, Title 15 provisions.

KEY QUOTATIONS

“the prison “grievance procedure is a procedural right only, it does not confer any substantive right upon the inmates” and “does not give rise to a protected liberty interest requiring the procedural protections envisioned by the Fourteenth Amendment.”” (at 14)

“Where an amendment provides an explicit textual source of constitutional protection against a particular sort of government behavior, it is that Amendment that must be the guide for analyzing the complaint.” (at 15)

“The doctrine of qualified immunity protects government officials from liability for civil damages insofar as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known.” (at 16)

FACTUAL BACKGROUND

Ramsey is a wheelchair-bound, paraplegic state prisoner with a high-risk medical designation who was housed at Richard J. Donovan Correctional Facility. Defendant Thompson allegedly removed Ramsey's medical conditions from an audit, overrode his high-risk designation, and recommended his transfer to High Desert State Prison, which Ramsey alleged could not accommodate his medical needs. Ramsey challenged the transfer through a prison grievance, but the grievance was denied and he was transferred on March 21, 2023. He alleged that the transfer and removal of his medical classification violated procedural and substantive due process under the Fourteenth Amendment.

PROCEDURAL HISTORY

Ramsey, a state prisoner proceeding pro se and in forma pauperis, filed a 42 U.S.C. § 1983 action in October 2023. After amendment of the pleadings and termination of H. Moseley, Ramsey filed a Second Amended Complaint alleging Eighth and Fourteenth Amendment violations arising from his prison transfer and medical classification. Thompson moved to dismiss the Fourteenth Amendment and procedural due process claims. The magistrate judge recommended granting the motion without leave to amend and separately granted in part and denied in part Ramsey's request for judicial notice, subject to review by the district judge.

DISPOSITION

other

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Jackson v. Carey, 353 F.3d 750, 755 (9th Cir. 2003)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Thompson v. Davis, 295 F.3d 890, 895 (9th Cir. 2002)
- Hendon v. Ramsey, 528 F. Supp. 2d 1058, 1063 (S.D. Cal. 2007)
- Hebbe v. Pliler, 627 F.3d 338, 342 (9th Cir. 2010)
- Easter v. CDC, 694 F. Supp. 2d 1177, 1183 (S.D. Cal. 2010)
- Ramirez v. Galaza, 334 F.3d 850, 861 (9th Cir. 2003)
- Wayne v. Leal, No. 07 CV 1605 JM (BLM), 2009 WL 2406299, at *3 (S.D. Cal. Aug. 4, 2009)
- Harris v. Schriro, 652 F. Supp. 2d 1024, 1034 (D. Ariz. Aug. 11, 2008)
- Rosal v. First Fed. Bank of Cal., 671 F. Supp. 2d 1111, 1120 (N.D. Cal. 2009)
- Harrison v. Kernan, 971 F.3d 1069, 1071 n.2 (9th Cir. 2020)
- Sunkett v. Boerum, No. 1:21-CV-01137-HBK (PC), 2024 WL 4369900, at *2 (E.D. Cal. Sept. 30, 2024)

- Shockner v. Soltanian, No. 218CV1948TLNKJNP, 2022 WL 823439, at *4 (E.D. Cal. Mar. 18, 2022)
- Calloway v. Kelley, No. 1:11-CV-01090-LJO, 2015 WL 4722976, at *19 (E.D. Cal. Aug. 7, 2015)
- Johnson v. Kernan, No. 17-07133 BLF (PR), 2019 WL 3718587, at *1 (N.D. Cal. Aug. 6, 2019)
- Sandin v. Conner, 515 U.S. 472, 485-86 (1995)
- Kildare v. Saenz, 325 F.3d 1078, 1085 (9th Cir. 2003)
- Collins v. Lopez, No. 1:24-CV-00454-DCN, 2025 WL 2402003, at *6 (D. Idaho Aug. 19, 2025)
- Verwolf v. Hamlet, No. C03-807 TEH (PR), 2003 WL 22159055, at *3 (N.D. Cal. Sept. 17, 2003)
- Dilbert v. Fisher, No. 120CV00655JLTHBKPC, 2023 WL 4848515, at *3 (E.D. Cal. July 28, 2023)
- Meachum v. Fano, 427 U.S. 215, 224-25 (1976)
- Jacobs v. CDCR, 20-cv-00547-DAD-BAM, 2022 WL 20210207, at *10 (E.D. Cal. Feb. 22, 2022)
- Bussiere v. Sherman, No. 116CV00899DADJLTPC, 2016 WL 5395920, at *4 (E.D. Cal. Sept. 26, 2016)
- Picray v. Sealock, 138 F.3d 767, 770 (9th Cir. 1998)
- Albright v. Oliver, 510 U.S. 266, 273 (1994)
- Pearson v. Callahan, 555 U.S. 223, 231 (2009)
- Mullenix v. Luna, 577 U.S. 7, 12 (2015)
- Tolan v. Cotton, 572 U.S. 650, 655-56 (2014)
- DCD Programs, Ltd. v. Leighton, 833 F.2d 183, 186 (9th Cir. 1987)
- Moss v. U.S. Secret Serv., 572 F.3d 962, 972 (9th Cir. 2009)
- Yakama Indian Nation v. State of Wash. Dep't of Revenue, 176 F.3d 1241, 1246 (9th Cir. 1999)
- Foman v. Davis, 371 U.S. 178, 182 (1962)
- Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998)