

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Chapple v. County of Sacramento

Chapple v. County of Sacramento · No. 2:24-cv-01939-TLN-CSK · Decided June 13, 2025

SUMMARY

The United States District Court for the Eastern District of California addresses motions to strike and motions to dismiss claims arising from the alleged shooting and use of force against Plaintiff Marquise Chapple by a Sacramento County sheriff’s deputy. The court denies the motion to strike and permits the federal excessive-force claims against Sheriff Cooper, the County, and the Sheriff’s Department to proceed based on alleged customs or practices. It dismisses without leave to amend the claim under Article I, section 13 of the California Constitution, while considering additional state-law and Bane Act claims in the remainder of the order.

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	June 13, 2025
DOCKET	2:24-cv-01939-TLN-CSK
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought claims under 42 U.S.C. § 1983 and California law arising from an alleged police shooting. Defendants moved to strike portions of the complaint, and Sheriff Cooper, the County, and the Sheriff’s Department moved to dismiss under Federal Rule of Civil Procedure 12(b)(6).
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, draws reasonable inferences in the plaintiff’s favor, disregards unsupported legal conclusions, and asks whether the complaint states a facially plausible claim. A Rule 12(f) motion to strike is discretionary and is granted only for redundant, immaterial, impertinent, or scandalous matter.
PRECEDENTIAL VALUE	unpublished federal district court order; persuasive authority only
PARTIES	Marquise Chapple v. County of Sacramento, Sacramento County Sheriff’s Department, Jim Cooper, Nathaniel Davis

TOPICS

section 1983 municipal liability police misconduct motions to dismiss civil procedure

PRACTICE AREAS

civil rights constitutional law municipal liability torts civil procedure

QUESTIONS PRESENTED

1. Whether allegations concerning prior excessive-force incidents were redundant, immaterial, impertinent, scandalous, or prejudicial and therefore subject to a Rule 12(f) motion to strike.
2. Whether the complaint plausibly alleged supervisory liability under § 1983 against Sheriff Cooper.
3. Whether the complaint plausibly alleged Monell liability against the County and Sheriff's Department based on a longstanding custom or practice of excessive force.
4. Whether California Constitution Article I, § 13 provides a private damages remedy for excessive force.
5. Whether the complaint plausibly alleged the specific intent required for a California Bane Act claim against Sheriff Cooper based on supervisory conduct.
6. Whether the complaint plausibly alleged a duty of care and special relationship supporting negligence liability against Sheriff Cooper.
7. Whether the Sacramento County Sheriff's Department could be sued alongside the County on the asserted state-law claims.

HOLDINGS

1. The court denied the motion to strike because the challenged allegations could bear on the plaintiff's claims, including Monell liability, and defendants did not establish that the allegations were immaterial, impertinent, scandalous, or sufficiently prejudicial.
2. The complaint plausibly alleged a § 1983 excessive-force claim against Sheriff Cooper in his individual capacity based on his alleged knowledge of repeated excessive-force incidents and failure to take corrective action.
3. The complaint plausibly alleged municipal liability under § 1983 against the County and Sheriff's Department based on a longstanding custom or practice of excessive force.
4. The court dismissed the Article I, § 13 excessive-force claim against Sheriff Cooper, the County, and the Sheriff's Department without leave to amend because the court consistently held that the provision does not confer a private right of action for damages.
5. The complaint plausibly alleged a California Civil Code § 52.1 claim against Sheriff Cooper based on supervisory conduct and alleged deliberate indifference or reckless disregard for plaintiff's constitutional rights.
6. The complaint plausibly alleged negligence against Sheriff Cooper because it alleged that he had the ability to control Davis, failed to train, supervise, and discipline officers, and therefore had a special relationship giving rise to a duty of care.

7. The court denied dismissal of the state-law claims against the Sheriff's Department on the ground that it was not a distinct or separately suable entity from the County.

KEY QUOTATIONS

“In sum, Defendants have not shown paragraphs 53 through 56 have no possible bearing on Plaintiff’s claims nor provide any sufficient explanation as to how the information within these paragraphs is prejudicial.”

“Accordingly, the Court DENIES Sheriff Cooper’s motion to dismiss the § 1983 excessive force claim against him.”

“The Court agrees with Plaintiff that he sufficiently alleges a Monell claim for excessive force against the Department and County based on a custom or practice.”

“In sum, the Court GRANTS Sheriff Cooper’s and the Department and County’s motions to dismiss the Article I, § 13 excessive force claim without leave to amend.”

FACTUAL BACKGROUND

Plaintiff alleged that on March 5, 2024, Sacramento County Sheriff's Deputy Nathaniel Davis shot him twice while he was fleeing through a parking lot after exiting a vehicle while holding a handgun and cellphone. Plaintiff alleged that he never pointed the handgun at Davis, and that Davis then handcuffed him while he was injured on the ground. Plaintiff further alleged that Sheriff Jim Cooper, the County, and the Sheriff's Department knew of numerous prior excessive-force incidents but failed to discipline personnel, retrain officers, or change policies and procedures.

PROCEDURAL HISTORY

Plaintiff filed the action on July 16, 2024. Defendants filed a motion to strike and motions to dismiss on September 16, 2024. The court denied the motion to strike, granted in part and denied in part the motions to dismiss, and ordered defendants to answer within twenty-one days.

DISPOSITION

other

CASES CITED

- LaComba v. Eagle Home Loans & Inv., LLC, 2023 WL 6201597, at *2 (E.D. Cal. Sept. 22, 2023)
- Yursik v. Inland Crop Dusters Inc., 2011 WL 5592888, at *3 (E.D. Cal. Nov. 16, 2011)
- Whittlestone, Inc. v. Handi-Craft Co., 618 F.3d 970, 973-74 (9th Cir. 2010)
- Sidney-Vinstein v. A.H. Robins Co., 697 F.2d 880, 885 (9th Cir. 1983)
- Neilson v. Union Bank of Cal., N.A., 290 F. Supp. 2d 1101, 1152 (C.D. Cal. 2003)
- Rodriguez v. Cnty. of Los Angeles, 891 F.3d 776, 798, 803 (9th Cir. 2018)
- Burgess v. Cnty. of San Diego, 2021 WL 5810662, at *2 (S.D. Cal. Dec. 7, 2021)
- Figueroa, 506 F. Supp. 3d at 1061

- Estate of Stingley v. Cnty. of Sacramento, 2025 WL 842770, at *3, *5-*6 (E.D. Cal. Mar. 18, 2025)
- Thurston v. City of Vallejo, 2021 WL 1839717, at *5 (E.D. Cal. May 7, 2021)
- V.R. v. Cnty. of San Bernardino, 2019 WL 8221081, at *4 (C.D. Cal. Dec. 6, 2019)
- Navarro v. Block, 250 F.3d 729, 732 (9th Cir. 2001)
- Ashcroft v. Iqbal, 556 U.S. 662, 677-80 (2009)
- Bell Atlantic v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Swierkiewicz v. Sorema N.A., 534 U.S. 506, 512 (2002)
- Cruz v. Beto, 405 U.S. 319, 322 (1972)
- Retail Clerks Int'l Ass'n v. Schermerhorn, 373 U.S. 746, 753 n.6 (1963)
- U.S. ex rel. Chunie v. Ringrose, 788 F.2d 638, 643 n.2 (9th Cir. 1986)
- Adams v. Johnson, 355 F.3d 1179, 1183 (9th Cir. 2004)
- Associated Gen. Contractors of Cal., Inc. v. Cal. State Council of Carpenters, 459 U.S. 519, 526 (1983)
- Lopez v. Smith, 203 F.3d 1122, 1130 (9th Cir. 2000) (en banc)
- Doe v. United States, 58 F.3d 494, 497 (9th Cir. 1995)
- Gardner v. Martino, 563 F.3d 981, 990 (9th Cir. 2009)
- Ecological Rights Found. v. Pac. Gas & Elec. Co., 713 F.3d 502, 520 (9th Cir. 2013)
- Monell v. Dep't of Soc. Servs. of City of N.Y., 436 U.S. 658, 693-94 (1978)
- Price v. Sery, 513 F.3d 962, 966 (9th Cir. 2008)
- Trevino v. Gates, 99 F.3d 911, 918 (9th Cir. 1996)
- Lemus v. Cnty. of Merced, 2016 WL 2930523, at *4 (E.D. Cal. May 19, 2016)
- McCoy v. City of Vallejo, 2020 WL 374356, at *4 (E.D. Cal. Jan. 23, 2020)
- Ochoa v. City of San Jose, 2021 WL 7627630, at *6 (N.D. Cal. Nov. 17, 2021)
- Theme Promotions, Inc. v. News Am. Mktg. FSI, 546 F.3d 991, 1010 (9th Cir. 2008)
- Cornell v. Cnty. & Cnty. of San Francisco, 17 Cal. App. 5th 766, 800 (2017)
- Reese v. Cnty. of Sacramento, 888 F.3d 1030, 1043 (9th Cir. 2018)
- S.R. Nehad v. Browder, 929 F.3d 1125, 1142 n.15 (9th Cir. 2019)
- Black Lives Matter-Stockton Chapter v. San Joaquin Cnty. Sheriff's Off., 398 F. Supp. 3d 660, 679 (E.D. Cal. 2019)
- Greer v. Cnty. of San Diego, 726 F. Supp. 3d 1058, 1085 (S.D. Cal. 2023)
- Venegas v. Cnty. of Los Angeles, 32 Cal. 4th 820 (2004)
- Merrill v. Navegar, Inc., 26 Cal. 4th 465, 500 (2001)
- Brown v. USA Taekwondo, 11 Cal. 5th 204, 209, 216 (2021)
- Estate of Osuna v. County of Stanislaus, 392 F. Supp. 3d 1162, 1183 (E.D. Cal. 2019)
- Pierce v. San Mateo County Sheriff's Dept., 232 Cal. App. 4th 995, 1000 n.1 (2014)
- Streit v. Cnty. of Los Angeles, 236 F.3d 552, 557 (9th Cir. 2001)
- Hulet v. Cnty. of Tuolumne, 2024 WL 3758360, at *5 (E.D. Cal. Aug. 12, 2024)
- Estate of Debbs v. Cnty. of Sacramento, 2023 WL 4108320, at *4 (E.D. Cal. June 21, 2023)

- Harris by & through Lester v. Cnty. of Sacramento, 2018 WL 3752176, at *3 (E.D. Cal. Aug. 8, 2018)

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