

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

William Shaw v. Woods, et al.

Shaw · No. 2:24-cv-02247 SCR P · Decided September 30, 2025

SUMMARY

The United States District Court for the Eastern District of California screened William Shaw's 42 U.S.C. § 1983 prisoner complaint under 28 U.S.C. § 1915A. The court found a cognizable Eighth Amendment failure-to-protect claim against defendant A. Cortina but found no cognizable excessive-force claims against defendants A. Avilla and J. Guevarra. The court granted in forma pauperis status and gave Shaw the option to proceed against Cortina or file an amended complaint.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 30, 2025
DOCKET	2:24-cv-02247 SCR P
DISPOSITION	other
PROCEDURAL POSTURE	Prisoner civil-rights complaint under 42 U.S.C. § 1983 submitted for mandatory screening under 28 U.S.C. § 1915A; the court granted in forma pauperis status, found a cognizable Eighth Amendment failure-to-protect claim against Cortina, found no cognizable claims against Avilla or Guevarra, and granted leave to amend or proceed against Cortina.
STANDARD OF REVIEW	Mandatory screening under 28 U.S.C. § 1915A; the court accepts well-pleaded allegations as true and construes the complaint in the light most favorable to the plaintiff, while requiring factual content sufficient to state a facially plausible claim.
PRECEDENTIAL VALUE	nonprecedential district-court screening order
PARTIES	William Shaw v. Woods, et al., A. Cortina, A. Avilla, J. Guevarra

TOPICS

section 1983

prisoners rights

cruel and unusual punishment

venue

civil procedure

PRACTICE AREAS

civil rights

prisoner litigation

constitutional law

federal civil procedure

QUESTIONS PRESENTED

1. Whether the complaint stated a cognizable Eighth Amendment failure-to-protect or failure-to-intervene claim against Cortina.
2. Whether the complaint stated a cognizable Eighth Amendment excessive-force claim against Avilla and Guevarra based on their use of pepper spray.
3. Whether the court should transfer the action sua sponte for improper venue.
4. Whether Shaw qualified to proceed in forma pauperis.

HOLDINGS

1. The complaint stated a cognizable Eighth Amendment failure-to-protect claim against Cortina because it alleged that Cortina personally witnessed an inmate punch and stab Shaw, knew of the obvious danger, had an opportunity to intervene, and failed to take reasonable steps to protect Shaw.
2. The complaint did not state a cognizable excessive-force claim against Avilla or Guevarra because it did not allege facts permitting an inference that they deployed pepper spray maliciously and sadistically to cause harm rather than in a good-faith effort to maintain or restore discipline.
3. The court declined to transfer the action at the screening stage because it was not clear that Shaw could allege no set of facts supporting venue in the Eastern District of California.
4. The court granted Shaw leave to proceed in forma pauperis and assessed the statutory filing fee for collection in installments from his inmate trust account.

KEY QUOTATIONS

“To state an Eighth Amendment claim based on a failure to protect, a plaintiff must allege that prison officials were “deliberately indifferent” to “conditions posing a substantial risk of serious harm.”” (Opinion at 3)

“the core judicial inquiry is ... whether force was applied in a good-faith effort to maintain or restore discipline, or maliciously and sadistically to cause harm.” (Opinion at 5)

“Plaintiff has the option to proceed immediately on his cognizable Eighth Amendment failure-to-protect claim against defendant Cortina as set forth above, or to file an amended complaint.” (Opinion at 8)

FACTUAL BACKGROUND

Shaw alleged that on September 27, 2023, another inmate punched him, brandished a knife, and then stabbed him while defendant Cortina watched and failed to intervene for several minutes. Shaw alleged that Avilla and Guevarra used pepper spray during the altercation, including while the other inmate was on top of Shaw and

armed with a knife. The complaint alleged that the officers gave accounts portraying Shaw as the aggressor, but it did not allege facts showing that Avilla or Guevarra used force maliciously and sadistically to cause harm.

PROCEDURAL HISTORY

Shaw filed a prisoner civil-rights complaint and sought leave to proceed in forma pauperis. The magistrate judge screened the complaint and concluded that it stated a cognizable failure-to-protect claim against Cortina but not an excessive-force claim against Avilla or Guevarra. Shaw was given thirty days to elect either to proceed against Cortina and voluntarily dismiss the other defendants without prejudice or file an amended complaint.

DISPOSITION

other

CASES CITED

- *Neitzke v. Williams*, 490 U.S. 319 (1989)
- *Jackson v. Arizona*, 885 F.2d 639 (9th Cir. 1989)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662 (2009)
- *Erickson v. Pardus*, 551 U.S. 89 (2007)
- *Scheuer v. Rhodes*, 416 U.S. 232 (1974)
- *Sagana v. Tenorio*, 384 F.3d 731 (9th Cir. 2004)
- *Farmer v. Brennan*, 511 U.S. 825 (1994)
- *Hudson v. Palmer*, 468 U.S. 517 (1984)
- *Labatad v. Corr. Corp. of Am.*, 714 F.3d 1155 (9th Cir. 2013)
- *Whitley v. Albers*, 475 U.S. 312 (1986)
- *Hudson v. McMillan*, 503 U.S. 1 (1992)
- *Hughes v. Rodriguez*, 31 F.4th 1211 (9th Cir. 2022)
- *Furnace v. Sullivan*, 705 F.3d 1021 (9th Cir. 2013)
- *Costlow v. Weeks*, 790 F.2d 1486 (9th Cir. 1986)
- *Trujillo v. Williams*, 465 F.3d 1210 (10th Cir. 2006)
- *Murphy v. Schneider Nat'l, Inc.*, 362 F.3d 1133 (9th Cir. 2004)
- *Rizzo v. Goode*, 423 U.S. 362 (1976)
- *Arnold v. Int'l Bus. Machs. Corp.*, 637 F.2d 1350 (9th Cir. 1981)
- *Johnson v. Duffy*, 588 F.2d 740 (9th Cir. 1978)
- *Ivey v. Bd. of Regents*, 673 F.2d 266 (9th Cir. 1982)
- *Loux v. Rhay*, 375 F.2d 55 (9th Cir. 1967)
- *Lacey v. Maricopa County*, 693 F.3d 896 (9th Cir. 2012)
- *Harris v. County of Orange*, 682 F.3d 1126 (9th Cir. 2012)

