

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

McCoy v. Holguin

No. 1:15-cv-00768-KES-HBK (E.D. Cal. Apr. 8, 2025) · No. 1:15-cv-00768-KES-HBK · Decided April 8, 2025

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 LAKEITH LEROY MCCOY, No. 1:15-cv-00768-KES-HBK 12 Plaintiff,
ORDER DENYING REQUEST FOR ENTRY OF JUDGMENT 13 v. 14 A. HOLGUIN, et al.,
Doc. 323 15 Defendants. 16 17 18 Before the Court is the request by defendants Delgado,
Arellano, Moore, Mayfield, 19 Montanez, Bennett, Barron, Gonzales, A. Martinez, Moreno,
Lomas, and King for entry of 20 judgment pursuant to Federal Rule of Civil Procedure 54(b) in
this civil rights action brought 21 under 42 U.S.C. § 1983.

The jury trial in this case commenced on February 25, 2025. Doc. 293. 22 On March 7, 2025, the
jury returned a unanimous partial verdict. Doc. 322. The jury reached a 23 unanimous verdict in
favor of defendants Delgado, Arellano, Moore, Mayfield, Montanez, 24 Bennett, Barron,
Gonzales, A. Martinez, Moreno, Lomas, and King. Id. The jury was unable to 25 reach a
unanimous verdict as to defendants Holguin, Casillas, and C. Martinez, and a mistrial was 26
declared as to those three defendants.

Id. On March 27, 2025, the twelve defendants as to whom 27 the jury reached a verdict filed a
request for entry of judgment. Doc. 323. For the reasons 28 addressed herein, defendants' request
for entry of judgment is denied. 1 "When an action presents more than one claim for relief... or
when multiple parties are 2 involved, the court may direct entry of final judgment as to one or
more, but fewer than all, 3 claims or parties only if the court expressly determines that there is no
just reason for delay." 4 Fed.

R. Civ. P. 54(b). Entry of a Rule 54(b) judgment is "not routinely granted" and is "reserved 5 for
the unusual case in which the costs and risks of multiplying the number of proceedings and of 6
overcrowding the appellate docket are outbalanced by pressing needs of the litigants for an early 7
and separate judgment as to some claims or parties." *Morrison-Knudsen Co. v. Archer*, 655 F.2d 8
962, 965 (9th Cir.

1981). 9 In determining "no just reason for delay," a court should consider whether the "individual
10 claims should be immediately appealable, even if they are in some sense separable from the 11
remaining unresolved claims." *Curtiss-Wright Corp v. Gen. Elec. Co.*, 446 U.S. 1, 8 (1980). 12
"Whether a final decision on a claim is ready for appeal is a different inquiry from the equities 13
involved, for consideration of judicial administrative interests is necessary to assure that 14

application of [Rule 54(b)] effectively preserves the historic federal policy against piecemeal 15 appeals.” Wood v. GCC Bend, LLC., 422 F.3d 873, 878 (9th Cir.

2005) (internal citations 16 omitted). “It is left to the sound judicial discretion of the district court to determine the 17 ‘appropriate time’ when each final decision in a multiple claims action is ready for appeal.” 18 Curtiss-Wright Corp., 446 U.S. at 8. 19 Twelve of the fifteen remaining defendants were found not liable by the jury. While the 20 section 1983 claims in this case concern alleged conduct by separate individual defendants, the 21 allegations concern the use of excessive force against the plaintiff in violation of the Eighth 22 Amendment, and the alleged failure to protect the plaintiff from such use of excessive force, in 23 two related incidents on a single date, March 12, 2015.

Therefore, entering judgment now as to 24 twelve of the defendants would risk piecemeal appeals that would address essentially the same set 25 of facts, a risk specifically discouraged under Rule 54(b). See Wood, 422 F.3d at 880 26 (“[Plaintiff’s] legal right to relief stems largely from the same set of facts and would give rise to 27 successful appeals that would turn largely on identical, and interrelated facts.

This impacts the 28 sound administration of justice.”); Garcia v. Smith, No. 10cv1187 AJB (RBB), 2014 WL 197742, 1 } at *3 (C.D. Cal. Jan. 16, 2014) (finding entry of judgment under Rule 54(b) inappropriate given 2 | the “similarity of issues between the dismissed causes of action and the causes of action still left 3 | to be tried.”); Martin v. Walmart Supercenter Store #2074, No. 3:22-cv-00153-SLG, 2024 WL 4 | 111100, at *2 (D.

Alaska Jan. 10, 2024) (declining entry of judgment under Rule 54(b) when such 5 | judgment would “start the clock for [the party] to appeal” while the action is still ongoing). 6 Accordingly, IT IS ORDERED: 7 1. Defendants’ request for entry of judgment, Doc. 323, is DENIED. 8 9 19 | IT IS SO ORDERED. _ 11 Dated: _ April 8, 2025 4A. UNITED STATES DISTRICT JUDGE 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28