

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Dawn Poole, et al. v. HealthRIGHT 360, et al.

Poole · No. 25-cv-03173-JCS · Decided January 2, 2026

SUMMARY

The United States District Court for the Northern District of California granted Defendants’ motion for judgment on the pleadings as to Plaintiff’s renewed survivor claim arising from the death of Justin Cartright at a sober living facility. The court held that the amended allegations were identical to those previously found insufficient because they asserted negligence causing the decedent’s death, and dismissed Claim Four with prejudice.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Joseph C. Spero
JURISDICTION	United States District Court for the Northern District of California
DECIDED	January 2, 2026
DOCKET	25-cv-03173-JCS
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved under Federal Rule of Civil Procedure 12(c) for judgment on the pleadings directed to the plaintiff's renewed survivor claim. The court granted the motion and dismissed Claim Four with prejudice.
STANDARD OF REVIEW	Under Rule 12(c), the court applies substantially the same analysis as under Rule 12(b)(6), taking the alleged facts as true and determining whether they entitle the plaintiff to a legal remedy.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Dawn Poole, et al. v. HealthRIGHT 360, et al.

TOPICS

- motion for judgment on the pleadings
- pleadings
- civil procedure
- negligence
- damages

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether judgment on the pleadings was proper under Rule 12(c) where the amended complaint's survivor-claim allegations were identical to those previously found legally insufficient.
2. Whether a California survivor claim may be based on negligence causing the decedent's death rather than on a cause of action belonging to the decedent before death.
3. Whether plaintiff should receive further leave to amend after failing to cure the defect following a prior opportunity to amend.

HOLDINGS

1. Judgment on the pleadings is analyzed substantially like a Rule 12(b)(6) motion, and the court may determine whether the facts alleged, taken as true, entitle the plaintiff to a legal remedy.
2. A California survivor claim cannot be based on the decedent's own death when the allegations assert that defendants' negligence caused the death; such a claim fails as a matter of law because wrongful-death rights vest in the decedent's heirs.
3. No further leave to amend was warranted because plaintiff had already been given an opportunity to amend and repeated the same defective survivor-claim allegations.
4. Even if the survivor claim were construed as seeking damages for predeath pain and suffering caused by elder abuse, it would be duplicative of the separate Elder Abuse Act claim.

KEY QUOTATIONS

“Analysis under Rule 12(c) is substantially identical to analysis under Rule 12(b)(6) because, under both rules, a court must determine whether the facts alleged in the complaint, taken as true, entitle the plaintiff to a legal remedy.” (at 1)

“In contrast, a survivor claim is “a separate and distinct cause of action which belonged to the decedent before death but, by statute, survives that event.”” (at 2)

FACTUAL BACKGROUND

Justin Cartright, who had substance abuse and other comorbid conditions, entered HealthRIGHT 360's residential treatment program on December 28, 2023, after being released from jail. The amended complaint alleged that he relapsed on unspecified drugs and died at a HealthRIGHT 360 facility on January 14, 2024. His daughter asserted a survivor claim alleging that defendants' negligence caused his death, along with claims including elder abuse and wrongful death.

PROCEDURAL HISTORY

The court previously dismissed the original survivor claim with leave to amend, finding that the allegations characterized negligence as causing the decedent's death. Plaintiff then filed a First Amended Complaint, but the allegations supporting the survivor claim were identical to those in the original complaint. Defendants answered

the amended complaint and moved for judgment on the pleadings. The court granted the motion without further leave to amend.

DISPOSITION

other

CASES CITED

- Chavez v. United States, 683 F.3d 1102, 1108
- N. Star Int'l v. Ariz. Corp. Comm'n, 720 F.2d 578, 581
- Est. of Swindell v. Cnty. of Sonoma, No. 15-CV-897-SC, 2015 WL 6177743, at *6 (N.D. Cal. Oct. 21, 2015)
- Rich v. Taser Int'l, Inc., No. 09-cv-02450-ECR-RJJ, 2012 WL 4490845, at *4 (D. Nev. Sept. 26, 2012)
- Quiroz v. Seventh Ave. Ctr., 140 Cal. App. 4th 1256, 1264
- Est. of Serna

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