

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Puckett v. County of Sacramento

No. 2:22-cv-00350-KJM-DB (E.D. Cal. Mar. 8, 2023) · No. 2:22-cv-00350-KJM-DB · Decided March 9, 2023

SUMMARY

The United States District Court for the Eastern District of California addresses motions to dismiss and motions to strike in Jeremy Puckett’s 42 U.S.C. § 1983 action arising from his allegedly wrongful murder and robbery conviction. The court dismisses the prayer for injunctive relief for lack of standing, denies a motion to strike allegations concerning forensic-pathologist testimony, dismisses official-capacity claims as redundant, and dismisses the claim against the deputy district attorney with leave to amend. The court allows the claims against the forensic pathologist and the Monell claims against Sacramento County and related offices to proceed at this stage, subject to the rulings described in the order.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Kimberly J. Mueller
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 9, 2023
DOCKET	2:22-cv-00350-KJM-DB
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought an action under 42 U.S.C. § 1983 alleging Brady violations, fabricated evidence, and municipal liability arising from his allegedly wrongful murder and robbery conviction. Defendants moved under Federal Rules of Civil Procedure 12(b)(6) and 12(f) to dismiss claims and strike portions of the complaint.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepted factual allegations as true and construed them in the light most favorable to plaintiff, granting dismissal only when the complaint lacked a cognizable legal theory or failed to allege sufficient facts to plausibly support relief. The court examined standing sua sponte under Article III and applied the Rule 12(f) standard for motions to strike.
PRECEDENTIAL VALUE	unpublished, nonprecedential district-court order

PARTIES

Jeremy Phillip Puckett v. County of Sacramento, Sacramento County Sheriff's Office, Sacramento County District Attorney's Office, Marjorie Durenberger, Marci Minter, Lori Gregersen, Willard Bayles, Robert Bell, Kay Maulsby, Donald Henrikson, Doe defendants

TOPICS

section 1983 municipal liability motions to dismiss qualified immunity standing

PRACTICE AREAS

civil rights constitutional law civil procedure municipal liability criminal justice

QUESTIONS PRESENTED

1. Whether Puckett had Article III standing to seek prospective injunctive relief after his convictions were vacated, he was declared factually innocent, and he was released from prison.
2. Whether the official-capacity claims against individual defendants were redundant of claims against the governmental entities.
3. Whether the complaint violated Federal Rule of Civil Procedure 8 by constituting a shotgun pleading.
4. Whether Deputy District Attorney Durenberger was absolutely immune from claims based on prosecutorial actions taken in preparing for trial.
5. Whether forensic pathologist Henrikson was entitled to qualified immunity at the pleading stage.
6. Whether the allegations against Sacramento County and the Sheriff's Office plausibly pleaded Monell liability based on customs, policies, and failures to train or discipline.
7. Whether the Sacramento County District Attorney's Office was immune from Monell liability for alleged prosecutorial policies, but potentially liable for administrative failures to discipline and track misconduct.
8. Whether allegations concerning Henrikson's trial testimony were immaterial and subject to a motion to strike.

HOLDINGS

1. A plaintiff seeking prospective injunctive relief must demonstrate a real and immediate threat of future injury, and Puckett lacked standing because he had been declared factually innocent, released from prison, and did not show a likelihood of being subjected again to the alleged unconstitutional investigation or incarceration.
2. Official-capacity claims against individual defendants may be dismissed as redundant when the governmental entity is also named and receives notice and an opportunity to respond.
3. The complaint was sufficiently organized and particularized to satisfy Federal Rule of Civil Procedure 8(a) and was not an impermissible shotgun pleading.

4. A prosecutor is absolutely immune from damages claims under § 1983 for actions within the traditional functions of an advocate, including preparing for trial and suppressing evidence in that prosecutorial role.
5. Henrikson was not entitled to qualified immunity at the pleading stage because the complaint alleged that he deliberately fabricated evidence and recklessly or deliberately misapplied forensic science.
6. The allegations plausibly stated Monell claims against Sacramento County and the Sheriff's Office based on alleged pervasive customs or policies of evidence manipulation and suppression and alleged failures to train, discipline, or maintain disciplinary records.
7. The alleged office-wide policy of committing or tolerating Brady violations was a prosecutorial function attributable to the state and therefore could not support a Monell claim against the District Attorney's Office, but the alleged failure to discipline prosecutors and failure to maintain a system for tracking misconduct were administrative county functions and were sufficiently pleaded to survive dismissal.
8. Allegations concerning Henrikson's trial testimony were not immaterial because Puckett offered the testimony to support his claim that Henrikson fabricated autopsy findings and shared incorrect information with investigators and prosecutors.

KEY QUOTATIONS

"Plaintiff does not show any "real or immediate" threat of facing further incarceration or being subject to a faulty and unconstitutional investigation by defendants." (§ II)

"Municipalities "are responsible only for their own illegal acts."" (§ IV.B.5)

"Municipalities "cannot be held liable [for the actions of their employees] under § 1983 on a respondeat superior theory."" (§ IV.B.5)

"The court dismisses plaintiff's official capacity claims against the individual defendants without leave to amend." (§ V)

FACTUAL BACKGROUND

Puckett was convicted of murdering and robbing Anthony Galati after investigators and prosecutors allegedly suppressed exculpatory evidence, relied on a false accusation, and used allegedly flawed forensic evidence concerning Galati's time of death. In 2020, a California superior court granted habeas relief and vacated Puckett's convictions; in 2021, it found him factually innocent. Puckett alleged that Sacramento County entities and officials maintained customs or practices of evidence suppression and failed to discipline or supervise personnel responsible for constitutional violations.

PROCEDURAL HISTORY

Puckett was convicted in 2001, later obtained habeas relief vacating his convictions in 2020, and was declared factually innocent by the California superior court in 2021. He then filed this § 1983 action in federal court. The district court granted the motions in part and denied them in part, dismissing some claims with and without leave to amend, denying Henrikson's qualified-immunity motion without prejudice, denying the motion to strike his trial-testimony allegations, and allowing certain Monell claims to proceed.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand. Plaintiff was required to file any amended complaint within 21 days. The official-capacity claims against individual defendants were dismissed without leave to amend; the first claim was dismissed in part with leave to amend; and the fourth claim was dismissed in part without leave to amend.

CASES CITED

- Gillespie v. Civiletti, 629 F.2d 637, 642 (9th Cir. 1980)
- Ashcroft v. Iqbal, 556 U.S. 662, 678–79 (2009)
- Brady v. Maryland, 373 U.S. 83 (1963)
- Chapman v. Pier 1 Imports (U.S.) Inc., 631 F.3d 939, 954 (9th Cir. 2011)
- Cetacean Cmty. v. Bush, 386 F.3d 1169, 1174 (9th Cir. 2004)
- Friends of the Earth, Inc. v. Laidlaw Envtl. Servs. (TOC), Inc., 528 U.S. 167, 180–81 (2000)
- Lujan v. Defs. of Wildlife, 504 U.S. 555, 560–61 (1992)
- Bates v. United Parcel Serv., Inc., 511 F.3d 974, 985 (9th Cir. 2007)
- City of Los Angeles v. Lyons, 461 U.S. 95, 111 (1983)
- O’Shea v. Littleton, 414 U.S. 488, 496 (1974)
- Davidson v. Kimberly-Clark Corp., 889 F.3d 956, 967 (9th Cir. 2018)
- Taheny v. Wells Fargo Bank, N.A., No. 10-2123, 2011 WL 1466944, at *2 (E.D. Cal. Apr. 18, 2011)
- Fantasy, Inc. v. Fogerty, 984 F.2d 1524, 1527–28 (9th Cir. 1993)
- Neveau v. City of Fresno, 392 F. Supp. 2d 1159, 1170 (E.D. Cal. 2005)
- Godecke v. Kinetic Concepts, Inc., 937 F.3d 1201, 1208 (9th Cir. 2019)
- Balistreri v. Pacifica Police Dep’t, 901 F.2d 696, 699 (9th Cir. 1990)
- Steinle v. City & Cnty. of San Francisco, 919 F.3d 1154, 1160 (9th Cir. 2019)
- Parks Sch. of Bus., Inc. v. Symington, 51 F.3d 1480, 1484 (9th Cir. 1995)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555 (2007)
- Ctr. for Bio-Ethical Reform, Inc. v. L.A. Cnty. Sheriff Dep’t, 533 F.3d 780, 799 (9th Cir. 2008)
- Kentucky v. Graham, 473 U.S. 159, 166 (1985)
- Destfino v. Kennedy, No. 08-1269, 2008 WL 4810770, at *3 (E.D. Cal. Nov. 3, 2008), aff’d sub nom. Destfino v. Reiswig, 630 F.3d 952 (9th Cir. 2011)
- Imbler v. Pachtman, 424 U.S. 409, 422–23, 430 (1976)
- Kalina v. Fletcher, 522 U.S. 118, 131 (1997)
- Buckley v. Fitzsimmons, 509 U.S. 259, 273 (1993)
- Santana v. County of Yuba, No. 150794, 2016 WL 1268107, at *14 (E.D. Cal. Mar. 31, 2016)
- Saucier v. Katz, 533 U.S. 194, 201 (2001)

- Pearson v. Callahan, 555 U.S. 223, 232, 236 (2009)
- Tolan v. Cotton, 572 U.S. 650, 656 (2014)
- S.R. Nehad v. Browder, 929 F.3d 1125, 1140 (9th Cir. 2019)
- Morales v. Fry, 873 F.3d 817, 824 (9th Cir. 2017)
- Brewer v. Hayne, 860 F.3d 819, 825 (5th Cir. 2017)
- Monell v. Department of Social Services, 436 U.S. 658, 690–91, 694 (1978)
- Connick v. Thompson, 563 U.S. 51, 60–62 (2011)
- Dougherty v. City of Covina, 654 F.3d 892, 900 (9th Cir. 2011)
- Plumeau v. Sch. Dist. No. 40 County of Yamhill, 130 F.3d 432, 438 (9th Cir. 1997)
- Horton by Horton v. City of Santa Maria, 915 F.3d 592, 602–03 (9th Cir. 2019)
- A.E. ex rel. Hernandez v. County of Tulare, 666 F.3d 631, 637 (9th Cir. 2012)
- Starr v. Baca, 652 F.3d 1202, 1216 (9th Cir. 2011)
- Trevino v. Gates, 99 F.3d 911, 918 (9th Cir. 1996)
- J.M. by & Through Rodriguez v. County of Stanislaus, No. 118-01034, 2018 WL 5879725, at *5–6 (E.D. Cal. Nov. 7, 2018)
- Meehan v. County of Los Angeles, 856 F.2d 102, 107 (9th Cir. 1988)
- Milke v. City of Phoenix, No. 15-00462, 2016 WL 5339693, at *17–18 (D. Ariz. Jan. 8, 2016)
- Velazquez v. City of Long Beach, 793 F.3d 1010, 1028 (9th Cir. 2015)
- Hayes v. Riley, 525 F. Supp. 3d 1118, 1121 (N.D. Cal. 2020)
- Howlett By & Through Howlett v. Rose, 496 U.S. 356, 375, 377, 383 (1990)
- Ceballos v. Garcetti, 361 F.3d 1168, 1182–83 (9th Cir. 2004), rev'd and remanded on other grounds, 547 U.S. 410 (2006)
- McMillian v. Monroe County, 520 U.S. 781, 785–86 (1997)
- Goldstein v. City of Long Beach, 715 F.3d 750, 755, 762 (9th Cir. 2013)
- Pitts v. County of Kern, 17 Cal. 4th 340, 363 (1998)