

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

Valencia v. Martinez

No. 1:24-cv-01441-KES-SAB (PC), United States District Court for the Eastern District of California (June 25, 2025)

SUMMARY

The United States District Court for the Eastern District of California partially adopted findings and recommendations and dismissed Eric Valencia's 42 U.S.C. § 1983 action. The court held that alleged threats, conspiracy, and failure-to-protect allegations did not state cognizable constitutional claims. The action was dismissed without further leave to amend, and the clerk was directed to close the case.

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 25, 2025                                                                                                                                                                                           |
| DOCKET             | 1:24-cv-01441-KES-SAB (PC)                                                                                                                                                                              |
| DISPOSITION        | dismissed                                                                                                                                                                                               |
| PROCEDURAL POSTURE | The district court conducted de novo review of a magistrate judge's findings and recommendations in a prisoner civil-rights action and dismissed the complaint for failure to state a cognizable claim. |
| STANDARD OF REVIEW | De novo review under 28 U.S.C. § 636(b)(1) of the magistrate judge's findings and recommendations.                                                                                                      |
| PRECEDENTIAL VALUE | unpublished and nonprecedential district court order                                                                                                                                                    |
| PARTIES            | Eric Valencia v. Martinez, Does 1-5, Navarro                                                                                                                                                            |

TOPICS

- section 1983
- prisoners rights
- civil rights
- pleadings
- civil procedure

PRACTICE AREAS

- civil rights litigation
- prisoner civil rights
- federal civil procedure

QUESTIONS PRESENTED

1. Whether plaintiff's allegations that Martinez threatened to fight him and conspired against him stated cognizable claims under 42 U.S.C. § 1983.
2. Whether Martinez's alleged statement that he could discard another detainee's legal papers stated a cognizable constitutional claim.
3. Whether the allegations against Does 1-5 and Navarro stated a failure-to-protect claim.
4. Whether the action should be dismissed for failure to state a claim, failure to obey a court order, and failure to prosecute.

## HOLDINGS

1. Plaintiff's allegations that Martinez threatened to fight him and that defendants conspired against him did not give rise to cognizable constitutional claims.
2. The allegation that Martinez threatened to throw away another pretrial detainee's legal papers failed to state a cognizable constitutional claim because a naked threat typically does not rise to the level of a constitutional violation, and the threatened property belonged to another detainee rather than plaintiff.
3. Plaintiff failed to state a cognizable failure-to-protect claim against Does 1-5 or Navarro because the conduct from which they allegedly failed to protect plaintiff was not itself a constitutional violation.
4. The court declined to adopt the recommendation to dismiss for failure to prosecute or failure to obey a court order based solely on plaintiff's failure to file an amended complaint because plaintiff had been permitted to stand on his original complaint.

## KEY QUOTATIONS

*“a “naked threat” typically does not rise to the level of a constitutional violation.” (Doc. 10 at 1)*

*“This action is dismissed as the complaint fails to state a cognizable claim for relief.” (Doc. 10 at 1)*

## FACTUAL BACKGROUND

Plaintiff was a pretrial detainee who alleged that defendant Martinez threatened to fight him, conspired against him, threatened to discard another detainee's legal papers, and that Does 1-5 and Navarro failed to protect him. The court determined that the alleged threats and conspiracy did not establish cognizable constitutional violations. It also concluded that the alleged failure-to-protect claim failed because the underlying conduct did not rise to the level of a constitutional violation.

## PROCEDURAL HISTORY

Plaintiff filed a complaint under 42 U.S.C. § 1983 on November 25, 2024. The magistrate judge screened the complaint, found that it failed to state a cognizable claim, and permitted plaintiff to file an amended complaint. Plaintiff did not amend or respond to an order to show cause. The magistrate judge recommended dismissal for failure to state a claim, failure to obey a court order, and failure to prosecute. After no objections were filed, the district court reviewed the matter de novo, adopted the recommendations in part, declined to dismiss for failure to prosecute or failure to obey because plaintiff had been permitted to stand on his original complaint, and dismissed the action without further leave to amend.

## DISPOSITION

dismissed

## CASES CITED

- Gaut v. Sunn, 810 F.2d 923, 925 (9th Cir. 1987)
- Williams v. King, 875 F.3d 500 (9th Cir. 2017)

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