

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Elghembri v. White

Elghembri · No. 24-cv-02773-WHO (PR) · Decided October 6, 2025

SUMMARY

The United States District Court for the Northern District of California dismissed Ahmed Mohamed Elghembri’s § 1983 action without prejudice under 28 U.S.C. § 1915A for failure to state a claim. The court held that allegations against an unnamed psychiatrist were insufficient and that allegations against psychologist Dr. White were conclusory and lacked specific details about deficient treatment. The court permitted Elghembri to move to reopen and file an amended complaint if he can cure the identified deficiencies.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	William H. Orrick
JURISDICTION	United States District Court for the Northern District of California
DECIDED	October 6, 2025
DOCKET	24-cv-02773-WHO (PR)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Screening of a prisoner's first amended 42 U.S.C. § 1983 complaint under 28 U.S.C. § 1915A(a).
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court must screen a prisoner's complaint and dismiss claims that are frivolous, malicious, fail to state a claim, or seek monetary relief from an immune defendant. The court liberally construes pro se pleadings and applies the plausibility standard under Ashcroft v. Iqbal and Bell Atlantic Corp. v. Twombly.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status is not established in the source.

TOPICS

- section 1983
- prisoners rights
- cruel and unusual punishment
- pleadings
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the first amended complaint stated a plausible claim under 42 U.S.C. § 1983 for violation of the Eighth Amendment based on allegedly inadequate prison mental-health care.
2. Whether allegations against an unnamed psychiatrist and conclusory allegations against a psychologist and supervisors satisfied federal pleading standards.

HOLDINGS

1. The complaint failed to state a plausible Eighth Amendment claim because it did not allege specific facts showing deliberate indifference or identify what medically necessary treatment was sought, required, denied, or inadequately provided.
2. The claim against the unnamed psychiatrist could not proceed because a complaint cannot be served against an unnamed defendant and the allegations did not establish deliberate indifference.
3. The allegations against Dr. White and unnamed supervisors were insufficient because they were conclusory and lacked specific factual details about the alleged misconduct and treatment deficiency.

KEY QUOTATIONS

“This federal civil rights action is *DISMISSED* for failure to state a claim for relief.” (at 1)

“This federal civil rights action is *DISMISSED* (without prejudice) for failure to state a claim for relief.” (at 3)

“A “complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’”” (at 1)

FACTUAL BACKGROUND

Elghembri, a prisoner at San Quentin State Prison, alleged that inmates and staff frequently yelled obscenities at him, causing mental-health distress. He alleged that an unnamed chief psychiatrist failed to meet with him during his five years at the prison and that Dr. White, his assigned psychologist, provided inadequate mental-health care. The amended complaint did not identify the psychiatrist, specify the treatment he sought or required, describe the treatment White provided, or explain specifically how White's treatment was deficient.

PROCEDURAL HISTORY

Elghembri initially alleged that prison mental-health personnel failed to provide adequate care. The court dismissed the original complaint and instructed him to identify defendants directly involved in his treatment and provide specific details about the treatment sought and denied. After reviewing the first amended complaint, the court dismissed the action without prejudice for failure to state a claim, entered judgment for defendants, and closed the file, while permitting a motion to reopen accompanied by a further amended complaint if plaintiff could cure the identified deficiencies.

DISPOSITION

dismissed

CASES CITED

- *Balistreri v. Pacifica Police Dep't*, 901 F.2d 696, 699 (9th Cir. 1988)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555, 556, 570 (2007)
- *Clegg v. Cult Awareness Network*, 18 F.3d 752, 754-55 (9th Cir. 1994)
- *West v. Atkins*, 487 U.S. 42, 48 (1988)

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6 7
AHMED MOHAMMAD ELGHEMBRI, Case No. 24-cv-02773-WHO (PR) Plaintiff, 8 ORDER
OF DISMISSAL v. 9 10 WHITE, et al., Defendants. 11 12 13 INTRODUCTION 14 Plaintiff
Ahmed Mohamed Elghembri alleges that prison mental health staff failed 15 to provide him with
adequate mental health care, thereby violating his Eighth Amendment 16 rights.

His first amended 42 U.S.C. § 1983 complaint containing these allegations is now 17 before me
for review pursuant to 28 U.S.C. § 1915A(a). 18 This federal civil rights action is DISMISSED for
failure to state a claim for relief. 19 He fails to identify by name the prison psychiatrist who failed
to meet with him during his 20 distress, and his allegations against that psychiatrist fail to show
more than a possibility 21 that the defendant acted unlawfully.

And his allegations against his assigned psychologist, 22 Dr. White, are conclusory, lacking any
specific details about what treatment he feels he 23 should have received and what treatment
White did and did not provide. 24 DISCUSSION 25 A. Standard of Review 26 A federal court
must conduct a preliminary screening in any case in which a 27 prisoner seeks redress from a
governmental entity or officer or employee of a 1 cognizable claims and dismiss any claims that
are frivolous, malicious, fail to state a claim 2 upon which relief may be granted or seek monetary
relief from a defendant who is immune 3 from such relief.

See *id.* § 1915A(b)(1), (2). Pro se pleadings must be liberally construed. 4 See *Balistreri v.*
Pacifica Police Dep't, 901 F.2d 696, 699 (9th Cir. 1988). 5 A “complaint must contain sufficient
factual matter, accepted as true, to ‘state a 6 claim to relief that is plausible on its face.’” *Ashcroft*
v. Iqbal, 556 U.S. 662, 678 (2009) 7 (quoting *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570
(2007)). “A claim has facial 8 plausibility when the plaintiff pleads factual content that allows the
court to draw the 9 reasonable inference that the defendant is liable for the misconduct alleged.”
Id. (quoting 10 *Twombly*, 550 U.S. at 556).

Furthermore, a court “is not required to accept legal conclusions cast in the form of factual allegations if those conclusions cannot reasonably be drawn from the facts alleged.” *Clegg v. Cult Awareness Network*, 18 F.3d 752, 754–55 (9th Cir. 1994). To state a claim under 42 U.S.C. § 1983, a plaintiff must allege two essential elements: (1) that a right secured by the Constitution or laws of the United States was violated, and (2) that the alleged violation was committed by a person acting under the color of state law.

See *West v. Atkins*, 487 U.S. 42, 48 (1988). B. Legal Claims 1. Original Complaint In his original complaint, Elghembri alleged that he suffered from mental health distress during his time at San Quentin State Prison because unnamed inmates and staff frequently yelled obscenities at him. (Compl., Dkt. No. 1 at 6-9.) He alleged that on November 18, 2024 he met with “the Chief Psychiatrist” about his distress, but the psychiatrist failed to “take reports” on the persons yelling at him and “did not provide the mental need to plaintiff.” (Id. at 9-10.)

I found this insufficient to state any claim for relief. Psychiatric staff are not responsible for compiling reports on the inmates and staff who allegedly harassed 1 Also, Elghembri did not state what mental treatment he required or requested and what 2 treatment mental health staff allegedly denied him. I instructed him to provide in his 3 amended complaint “specific details regarding what treatment he sought and what the 4 doctor’s response was.” (Order Dismissing Complaint, Dkt.

No. 6 at 3.) 5 I also instructed him to name “the Chief Psychiatrist,” and to name only those 6 defendants who were directly involved in his treatment because a supervisor cannot be 7 held responsible unless he participated in or directed the violations, or knew of the 8 violations and failed to act to prevent them. (Id.) 9 2.

First Amended Complaint 10 Elghembri’s first amended complaint fails to state any claim for relief. He alleges 11 that an unnamed psychiatrist failed to ever see him during his five years at San Quentin. 12 (First Am. Compl., Dkt. No. 13 at 14.) This is insufficient. A complaint cannot be served 13 against an unnamed defendant. 14 As described below, Elghembri did see a prison psychologist, who provided 15 treatment.

Elghembri has not stated any specific facts indicating what treatment a 16 psychiatrist could have provided that a psychologist could not. Nor has he stated facts 17 showing that the psychiatrist’s failure to see him was based on deliberate indifference, 18 rather than the fact that Elghembri was already seeing a psychologist and had no need of 19 the psychiatrist’s services. “Factual allegations must be enough to raise a right to relief 20 above the speculative level.” *Twombly*, 550 U.S. at 555.

Federal pleading standards 21 demand factual assertions that show “more than a sheer possibility that a defendant has 22 acted unlawfully.” *Iqbal*, 556 U.S. at 678. 23 Elghembri also sues his

assigned psychologist, Dr. White. He states that White 24 “provide[d] and determine[d] the care professionally to be currently mently [sic] and 25 clinically neccessary [sic] for the plaintiff,” but does not state what this treatment was or 26 how it was allegedly deficient.

(Id. at 19.) Elghembri fails to provide any specific details 27 regarding White’s treatment. He says only that he “was in need of better services 1 || White did not make “an effort to reduce plaintiff [sic] mental illness.” (Ud. at 20, 21, and 2 || 28.) 3 Elghembri has not complied with my instructions to provide specific details 4 || regarding his treatment.

He has failed to state any claim for relief. His allegations against 5 || unnamed supervisors are conclusory and fail to meet federal pleading standards. The 6 || federal pleading standard “demands more than an unadorned, the-defendant-unlawfully- 7 harmed-me accusation.” Igbal, 556 U.S. at 678. 8 CONCLUSION 9 This federal civil rights action is DISMISSED (without prejudice) for failure to 10 || state a claim for relief.

If Elghembri believes that he can provide the necessary 11 || information and level of detail required to meet federal pleading standards, he may file a 2 motion to reopen and an amended complaint. Any such motion to reopen must have the 5 13 || words MOTION TO REOPEN written on the first page and be accompanied by a S 14 || complaint on this Court’s form that corrects the deficiencies described in this and the prior 3 15 || Orders. a 16 The Clerk shall enter judgment in favor of defendants, and close the file.

IT IS SO ORDERED. 18 Dated: October 6, 2025. \. 19 ILLIAM H. ORRICK 20 United States District Judge 21 22 23 24 25 26 27 28