

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Travis Ward v. California Department of Corrections and
Rehabilitation

Ward v. CDCR · No. 1:24-cv-00467-JLT-BAM · Decided February 21, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations and granted the California Department of Corrections and Rehabilitation’s motion to dismiss. The court held that the plaintiff failed to state an ADA claim and that CDCR was immune from the negligence claim under California Government Code section 844.6(a)(2), with no applicable exception under section 845.6. The First Amended Complaint was dismissed without leave to amend, and the case was closed.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jennifer L. Thurston
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	February 21, 2025
DOCKET	1:24-cv-00467-JLT-BAM
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court conducted de novo review of a magistrate judge's findings and recommendations after Plaintiff objected to the recommendation that his First Amended Complaint be dismissed under Federal Rule of Civil Procedure 12(b)(6).
STANDARD OF REVIEW	De novo review of the magistrate judge's findings and recommendations under 28 U.S.C. § 636(b)(1)(C); dismissal for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6).
PRECEDENTIAL VALUE	unpublished
PARTIES	Travis Ward v. California Department of Corrections and Rehabilitation

TOPICS

motions to dismiss

ada / disability

government liability

negligence

civil procedure

PRACTICE AREAS

Civil procedure

Americans with Disabilities Act

Government liability

Negligence

Prisoner litigation

QUESTIONS PRESENTED

1. Whether Ward's allegations regarding requests for a wheelchair stated a cognizable claim under the Americans with Disabilities Act.
2. Whether Ward's negligence claim against CDCR was barred by California Government Code § 844.6(a)(2), or whether the exception in § 845.6 applied.
3. Whether the pleading deficiencies could be cured by amendment.
4. Whether Ward's claim for injunctive relief was moot after he was transferred from Kern Valley State Prison.

HOLDINGS

1. The First Amended Complaint failed to state a cognizable ADA claim because Ward did not allege facts showing that he was excluded from participation in, or denied the benefits of, a prison service or program because of a disability, or that he was subjected to discrimination by reason of a disability.
2. The negligence claim was barred because the First Amended Complaint did not allege facts triggering the § 845.6 exception to the immunity provided by California Government Code § 844.6(a)(2).
3. Dismissal without leave to amend was proper because the pleading deficiencies could not be cured by further amendment based on the allegations and objections before the court.
4. The claim for injunctive relief was moot because Ward was no longer housed at Kern Valley State Prison and there was no demonstrated reasonable expectation that he would return there.

KEY QUOTATIONS

“The Court conducted a de novo review of the case.” (at 1)

“Therefore, the objections do not call into question the magistrate judge's finding that the pleading deficiencies cannot be cured by further amendment.” (at 2)

FACTUAL BACKGROUND

While confined at Kern Valley State Prison, Ward alleged that he fell and injured his leg and back because sewage water had pooled outside his cell. He also alleged that he received inadequate medical care after the fall and that prison officials failed to provide a wheelchair despite repeated requests. He asserted claims under the Americans with Disabilities Act and California negligence law.

PROCEDURAL HISTORY

Ward filed a First Amended Complaint alleging violations of the Americans with Disabilities Act and negligence arising from an alleged fall caused by sewage water outside his prison cell and inadequate medical care afterward. CDCR moved to dismiss under Rule 12(b)(6). The magistrate judge recommended granting the motion and dismissing without leave to amend. After Ward objected and CDCR responded, the district court conducted de novo review, adopted the findings and recommendations, granted the motion to dismiss, dismissed the complaint without leave to amend, and ordered the case closed.

DISPOSITION

dismissed

CASES CITED

- Wilkerson v. Wheeler, 772 F.3d 834, 839 (9th Cir. 2014)