

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA

Sutherland v. Bales, et al.

Sutherland · No. 3:25-cv-00190-SLG · Decided January 26, 2026

SUMMARY

The United States District Court for the District of Alaska screens Ronald Sutherland’s self-represented complaint under 28 U.S.C. § 1915(e). The court dismisses the complaint for failure to state a claim, dismissing most claims and defendants without leave to amend while allowing a possible amended Fourteenth Amendment inadequate-medical-care claim against Dr. James Bales if Sutherland can establish equitable tolling or another basis overcoming the statute of limitations. The court grants Sutherland’s application to waive the filing fee and gives him 60 days to file an amended complaint or a notice of voluntary dismissal.

CASE DETAILS

COURT	United States District Court for the District of Alaska
WRITING FOR THE COURT	Sharon L. Gleason
JURISDICTION	United States District Court for the District of Alaska
DECIDED	January 26, 2026
DOCKET	3:25-cv-00190-SLG
DISPOSITION	dismissed
PROCEDURAL POSTURE	Initial screening of a self-represented plaintiff's civil complaint under 28 U.S.C. § 1915(e), together with an application to waive payment of the filing fee.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e), the court accepts factual allegations as true, construes a self-represented plaintiff's pleading liberally and in the plaintiff's favor, and disregards conclusory allegations, unreasonable inferences, and unwarranted factual deductions. The court may consider documents attached to or incorporated into the complaint and matters subject to judicial notice, and may dismiss at screening when an affirmative defense such as untimeliness is apparent on the face of the complaint.
PRECEDENTIAL VALUE	unpublished district court screening order
PARTIES	Ronald Sutherland v. Dr. James Bales, Dr. Jacob Light, Dr. Samuel Waller, Alaska Regional Hospital, Officer Luke Bowe, Detective Heidi

Schaeffer, Pretrial Services Officer John Doe, APD Officer Jane Doe, unnamed operating room staff, unnamed hospital employees

TOPICS

civil procedure section 1983 motions to dismiss statute of limitations medical malpractice

PRACTICE AREAS

civil procedure civil rights constitutional law medical malpractice personal injury torts

QUESTIONS PRESENTED

1. Whether the complaint stated claims cognizable under 28 U.S.C. § 1983 and the First, Fourth, Eighth, and Fourteenth Amendments.
2. Whether Sutherland's inadequate-medical-care allegations stated a Fourteenth Amendment claim against Dr. Bales.
3. Whether the complaint stated § 1983 claims against Dr. Light, unnamed hospital personnel, and Alaska Regional Hospital.
4. Whether the arrest, search-and-seizure, fabricated-evidence, warrant, and retaliation claims were improperly joined with the medical-care claim.
5. Whether the inadequate-medical-care claim against Dr. Bales appeared barred by Alaska's two-year statute of limitations and whether leave to amend should be granted to address tolling.

HOLDINGS

1. A district court must dismiss a screened civil complaint that is frivolous or malicious, fails to state a claim on which relief may be granted, or seeks monetary relief from an immune defendant; applying that standard, the complaint was dismissed for failure to state a claim.
2. The Eighth Amendment did not apply because Sutherland was not a convicted prisoner in state custody when the alleged violations occurred; the Eighth Amendment claims were dismissed with prejudice.
3. Liberally construed, the complaint stated a plausible Fourteenth Amendment inadequate-medical-care claim against Dr. Bales, assuming he could be shown to have acted under color of state law.
4. The claims against Dr. Light and unnamed hospital personnel failed because the complaint did not allege their personal involvement in a constitutional violation and their alleged misrepresentations, without more, did not establish a Fourteenth Amendment violation; those defendants were dismissed without leave to amend in this action.
5. Alaska Regional Hospital could not be held liable under § 1983 based solely on alleged constitutional violations by its employees, and the complaint failed to identify a hospital policy, practice, or custom that was the moving force behind a constitutional violation; the hospital was dismissed without leave to amend in this action.

6. The claims concerning the arrest, search and seizure, alleged fabrication of evidence, warrants, and retaliation were not sufficiently related to the medical-care claim and could not proceed against those defendants in the same action.
7. The § 1983 medical-care claim against Dr. Bales appeared barred by Alaska's two-year statute of limitations because the alleged injury accrued no later than shortly after the July 11, 2023 surgery and the complaint was filed on September 9, 2025; the court nevertheless granted a limited opportunity to amend to plead equitable tolling or another basis avoiding the limitations bar.

KEY QUOTATIONS

“First, the defendant made an intentional decision regarding the denial of needed medical care. Second, the denial of the needed medical care put the plaintiff at substantial risk of suffering serious harm. Third, the defendant did not take reasonable available measures to abate or reduce the risk of serious harm, even though a reasonable health care provider under the circumstances would have understood the high degree of risk involved making the consequences of the defendant’s conduct obvious and objectively unreasonable. And fourth, by not taking such measures, the defendant caused the plaintiff’s injuries.” (Discussion III.B)

“A private entity may only be liable under Section 1983 if: (1) it acted under color of state law, and (2) a policy, practice, or custom of the entity can be shown to be the “moving force behind a violation of constitutional rights.”” (Discussion III.B.2)

FACTUAL BACKGROUND

Sutherland alleged that he was arrested on July 10, 2023, transported to Alaska Regional Hospital the next day while in custody, and underwent emergency spinal surgery by Dr. James Bales. He alleged that Bales failed to perform necessary procedures, left bone and disc material in place, caused infection and permanent spinal damage, and falsely documented the surgery. Sutherland also asserted claims concerning his arrest, alleged fabricated evidence and warrants, an alleged attempt to deter him from complaining, and the conduct of other medical personnel and Alaska Regional Hospital.

PROCEDURAL HISTORY

Sutherland filed a civil complaint on September 3, 2025, alleging constitutional and state-law claims arising from his arrest, prosecution, and medical treatment while in Alaska Department of Corrections custody. The court screened the complaint and dismissed it for failure to state a claim. The court granted leave to amend only the inadequate-medical-care claim against Dr. Bales concerning spinal surgery, subject to addressing the statute of limitations or equitable tolling, and otherwise dismissed the specified claims and defendants without leave to amend in this action.

DISPOSITION

dismissed

CASES CITED

- United States ex rel. Robinson Rancheria Citizens Council v. Borneo, Inc., 971 F.2d 244, 248 (9th Cir. 1992)

- Calhoun v. Stahl, 254 F.3d 845 (9th Cir. 2001)
- Bernhardt v. Los Angeles County, 339 F.3d 920, 925 (9th Cir. 2003)
- Sprewell v. Golden State Warriors, 266 F.3d 979, 988 (9th Cir. 2001), amended by 275 F.3d 1187 (9th Cir. 2001)
- United States v. Ritchie, 342 F.3d 903, 908 (9th Cir. 2003)
- Washington v. Los Angeles County Sheriff's Department, 833 F.3d 1048, 1056 (9th Cir. 2016)
- Gordon v. City of Oakland, 627 F.3d 1092, 1094 (9th Cir. 2010)
- Albrecht v. Lund, 845 F.2d 193, 195 (9th Cir. 1988)
- Schreiber Distributing Co. v. Serv-Well Furniture Co., 806 F.2d 1393, 1401 (9th Cir. 1986)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)
- Pliler v. Ford, 542 U.S. 225, 231 (2004)
- Ivey v. Board of Regents of University of Alaska, 673 F.2d 266, 268 (9th Cir. 1982)
- Rizzo v. Goode, 423 U.S. 362, 371-72 (1976)
- Gibson v. United States, 781 F.2d 1334, 1338 (9th Cir. 1986)
- Graham v. Connor, 490 U.S. 386, 393-94 (1989)
- Florer v. Congregation Pidyon Shevuyim, N.A., 639 F.3d 916, 922 (9th Cir. 2011)
- Briley v. State of California, 564 F.2d 849, 855-56 (9th Cir. 1977)
- West v. Atkins, 487 U.S. 42, 54-56 (1988)
- George v. Sonoma County Sheriff's Department, 732 F. Supp. 2d 922 (N.D. Cal. 2010)
- Hawkins v. Comparet-Cassani, 251 F.3d 1230, 1238 (9th Cir. 2001)
- Bell v. Wolfish, 441 U.S. 520, 535 n.16 (1979)
- Ewing v. City of Stockton, 588 F.3d 1218, 1235 (9th Cir. 2009)
- Monell v. New York City Department of Social Services, 436 U.S. 658, 694 n.58 (1978)
- Palmer v. Sanderson, 9 F.3d 1433, 1437-38 (9th Cir. 1993)
- Taylor v. List, 880 F.2d 1040, 1045 (9th Cir. 1989)
- Bird v. Department of Human Services, 935 F.3d 738, 743 (9th Cir. 2019)
- Smith v. Davis, 953 F.3d 582, 591 (9th Cir.), cert. denied, 141 S. Ct. 878 (2020)
- Belanus v. Clark, 796 F.3d 1021, 1024-27 (9th Cir. 2015)
- Robinson v. Alaska Housing Finance Corp., 442 P.3d 763, 766, 769 (Alaska 2019)
- Kimes v. Stone, 84 F.3d 1121, 1128 (9th Cir. 1996)
- Kaiser v. Umialik Insurance, 108 P.3d 876, 882 (Alaska 2005)
- Von Saher v. Norton Simon Museum of Art at Pasadena, 592 F.3d 954, 969 (9th Cir. 2010), cert. denied, 131 S. Ct. 3055 (2011)
- Huynh v. Chase Manhattan Bank, 465 F.3d 992, 997 (9th Cir. 2006)
- Cervantes v. City of San Diego, 5 F.3d 1273, 1276-77 (9th Cir. 1993)

