

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Michael Alan Dean Hill v. El Dorado County, et al.

Hill v. El Dorado County · No. 2:25-cv-00751 SCR P · Decided December 4, 2025

SUMMARY

The United States District Court for the Eastern District of California screened Michael Alan Dean Hill’s first amended 42 U.S.C. § 1983 complaint under 28 U.S.C. § 1915A. The court found cognizable First and Fourteenth Amendment access-to-courts claims against Dennis Cemo and a Fourteenth Amendment procedural due process claim against C/O Balderas, but found the remaining claims insufficiently pleaded. The court granted in forma pauperis status and gave Hill the option to proceed on the screened claims or file an amended complaint.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 4, 2025
DOCKET	2:25-cv-00751 SCR P
DISPOSITION	other
PROCEDURAL POSTURE	Screening of a pro se pretrial detainee's first amended complaint under 28 U.S.C. § 1915A, together with consideration of the plaintiff's application to proceed in forma pauperis.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court must dismiss claims that are frivolous, malicious, fail to state a claim upon which relief may be granted, or seek monetary relief from an immune defendant. In assessing failure to state a claim, the court accepts well-pleaded allegations as true, construes them favorably to the plaintiff, and requires factual content sufficient to make the claim facially plausible.
PRECEDENTIAL VALUE	unknown
PARTIES	Michael Alan Dean Hill v. El Dorado County, Jonathan Eslick, Dennis Cemo, C/O Tinker, C/O Balderas

TOPICS

section 1983

prisoners rights

procedural due process

first amendment

civil procedure

PRACTICE AREAS

prisoner civil rights

constitutional law

civil procedure

criminal procedure

QUESTIONS PRESENTED

1. Whether the first amended complaint plausibly alleged a First and Fourteenth Amendment denial-of-access-to-the-courts claim based on Cemo's alleged confiscation of legal papers.
2. Whether allegations that Eslick and Cemo issued false disciplinary reports stated a Fourteenth Amendment due process or deliberate-fabrication claim.
3. Whether the complaint plausibly alleged that Tinker and Balderas denied Hill procedural due process by refusing to interview or permit witnesses at disciplinary hearings.
4. Whether Hill should be permitted to proceed in forma pauperis and amend claims that failed screening.

HOLDINGS

1. The first amended complaint stated a cognizable First and Fourteenth Amendment denial-of-access-to-the-courts claim against Cemo because Hill alleged that confiscation of legal materials prejudiced his ability to present his own criminal defense.
2. The alleged issuance of false disciplinary charges, standing alone, did not state a Fourteenth Amendment claim where the complaint and attached records showed that Hill received a disciplinary hearing and that a requested witness participated.
3. Hill's conclusory allegation that Eslick and Cemo fabricated disciplinary violations did not plausibly state a deliberate-fabrication claim because he did not identify what was fabricated or facts showing deliberate fabrication and resulting deprivation of liberty.
4. The first amended complaint stated a minimally cognizable Fourteenth Amendment procedural due process claim against Balderas because Hill alleged that he requested witnesses at a separate disciplinary hearing and the record did not show that Balderas interviewed them.

KEY QUOTATIONS

"To state a claim for the denial of access to the courts, a plaintiff must allege an actual injury, i.e., prejudice with respect to contemplated or existing litigation, such as the inability to meet a filing deadline or present a non-frivolous claim." (at 7)

"Accordingly, defendants Eslick's and Cemo's allegedly false charge does not, standing alone, violate the Fourteenth Amendment." (at 8)

"To prevail on a § 1983 claim of deliberate fabrication, a plaintiff must prove that (1) the defendant official deliberately fabricated evidence and (2) the deliberate fabrication caused the plaintiff's deprivation of liberty." (at 10)

FACTUAL BACKGROUND

Hill, a pretrial criminal detainee proceeding pro se, alleged that jail officials searched his cell and confiscated legal papers, including evidence and copies of legal requests, harming his ability to defend his criminal case. He also alleged that officials fabricated disciplinary violations, classified him as high risk, imposed extensive restrictions, and denied him a meaningful disciplinary hearing and the opportunity to present witnesses. The records attached to the complaint showed that Tinker conducted one disciplinary hearing and interviewed a requested witness, while records concerning a separate hearing conducted by Balderas reflected a request for witnesses without indicating that they were interviewed.

PROCEDURAL HISTORY

Hill filed a civil rights action under 42 U.S.C. § 1983 and submitted a first amended complaint before the original complaint had been screened. The court granted leave to proceed in forma pauperis and screened the first amended complaint. The court found cognizable claims against Cemo for denial of access to the courts and against Balderas for procedural due process, while finding the remaining claims insufficient; it gave Hill the option either to proceed on the screened claims or file an amended complaint.

DISPOSITION

other

CASES CITED

- *Neitzke v. Williams*, 490 U.S. 319, 325, 327 (1989)
- *Jackson v. Arizona*, 885 F.2d 639, 640 (9th Cir. 1989)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555-57, 570 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Erickson v. Pardus*, 551 U.S. 89, 93-94 (2007)
- *Scheuer v. Rhodes*, 416 U.S. 232, 236 (1974)
- *Benavidez v. County of San Diego*, 993 F.3d 1134, 1144 (9th Cir. 2021)
- *Monell v. Department of Social Services*, 436 U.S. 658, 694 (1978)
- *Rizzo v. Goode*, 423 U.S. 362, 370-71 (1976)
- *Starr v. Baca*, 652 F.3d 1202, 1207-08 (9th Cir. 2011)
- *Johnson v. Duffy*, 588 F.2d 740, 743 (9th Cir. 1978)
- *Silva v. Di Vittorio*, 658 F.3d 1090, 1102-04 (9th Cir. 2011)
- *First Amend. Coal. of Arizona, Inc. v. Ryan*, 938 F.3d 1069, 1080 (9th Cir. 2019)
- *Lewis v. Casey*, 518 U.S. 343, 349 (1996)
- *Harper v. Costa*, 2009 WL 1684599, at *2-3 (E.D. Cal. June 16, 2009), *aff'd*, 393 F. App'x 488 (9th Cir. 2010)
- *Muhammad v. Rubia*, 2010 WL 1260425, at *3 (N.D. Cal. Mar. 29, 2010), *aff'd*, 453 F. App'x 751 (9th Cir. 2011)
- *Goodwin v. Salagubang*, No. 2:18-cv-0363 JAM DMC, 2019 WL 2026507, at *2 (E.D. Cal. May 8, 2019)
- *Pierce v. County of Orange*, 526 F.3d 1190, 1205 & n.15 (9th Cir. 2008)

- Bell v. Wolfish, 441 U.S. 520, 535-37 (1979)
- Mitchell v. Dupnik, 75 F.3d 517, 524-25 (9th Cir. 1996)
- Shorter v. Baca, 101 F. Supp. 3d 876, 891 (C.D. Cal. 2015)
- Wolff v. McDonnell, 418 U.S. 539, 566 (1974)
- Serrano v. Francis, 345 F.3d 1071, 1077-78 (9th Cir. 2003)
- Sandin v. Conner, 515 U.S. 472 (1995)
- Sprewell v. Golden State Warriors, 266 F.3d 979, 988 (9th Cir.), opinion amended on denial of reh'g, 275 F.3d 1187 (9th Cir. 2001)
- Devereaux v. Abbey, 263 F.3d 1070, 1074-75 (9th Cir. 2001) (en banc)
- Costanich v. Department of Social & Health Services, 627 F.3d 1101 (9th Cir. 2010)
- Chappell v. Bess, No. 2:01-cv-1979 KJN P, 2012 WL 3276984, at *22-23 (E.D. Cal. Aug. 9, 2012)
- Hinton v. Mix, No. 1:24-cv-0960 KES BAM (PC), 2025 WL 1569053, at *10 (E.D. Cal. June 3, 2025), report and recommendation adopted, No. 1:24-cv-0960 KES BAM (PC), 2025 WL 1918564 (E.D. Cal. July 11, 2025)
- Garcia v. Kernan, No. 18-cv-2313 JLS (MSB), 2019 WL 3429175, at *9 (S.D. Cal. July 30, 2019)
- Strohmeyer v. Belanger, No. 3:14-cv-0661 RCJ WGC, 2021 WL 1097344, at *18 (D. Nev. Mar. 3, 2021), report and recommendation adopted, No. 3:14-cv-0661 RCJ WGC, 2021 WL 1687116 (D. Nev. Mar. 22, 2021), aff'd sub nom. Strohmeyer v. Beguefuth, No. 21-15760, 2023 WL 3477832 (9th Cir. May 16, 2023)
- Arnold v. International Business Machines Corp., 637 F.2d 1350, 1355 (9th Cir. 1981)
- Ivey v. Board of Regents, 673 F.2d 266, 268 (9th Cir. 1982)