

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAI‘I

Richard Henry Johnston, Jr. v. City and County of Honolulu, et al.

Johnston · No. 24-cv-00442-DKW-WRP · Decided April 2, 2026

SUMMARY

The United States District Court for the District of Hawai‘i grants in part the defendants’ motion for judgment on the pleadings in Richard Henry Johnston, Jr.’s action alleging harassment, false imprisonment, and attempted false imprisonment. The court dismisses the operative complaint for failure to state a claim but grants leave to amend, requiring a standalone amended complaint with specific factual allegations. The court sets April 16, 2026, as the deadline for amendment and warns that failure to amend will result in dismissal with prejudice.

CASE DETAILS

COURT	United States District Court for the District of Hawai‘i
WRITING FOR THE COURT	Derrick K. Watson
JURISDICTION	United States District Court for the District of Hawai‘i
DECIDED	April 2, 2026
DOCKET	24-cv-00442-DKW-WRP
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved for judgment on the pleadings under Federal Rule of Civil Procedure 12(c), seeking dismissal with prejudice of the plaintiff's claims for harassment, false imprisonment, and attempted false imprisonment. The court granted the motion in part, dismissed the operative complaint for failure to state a claim, and granted leave to amend.
STANDARD OF REVIEW	A Rule 12(c) motion is governed by a standard functionally identical to Rule 12(b)(6). The court accepts well-pleaded factual allegations as true, but not legal conclusions or conclusory recitals, and asks whether the complaint contains sufficient factual matter to state a facially plausible claim for relief under Rule 8(a).
PRECEDENTIAL VALUE	Unknown
PARTIES	Richard Henry Johnston, Jr. v. City and County of Honolulu, Honolulu Police Department

TOPICS

motion for judgment on the pleadings

pleadings

civil procedure

false imprisonment

police misconduct

PRACTICE AREAS

civil procedure

civil rights

torts

municipal law

QUESTIONS PRESENTED

1. Whether the operative complaint stated plausible claims for harassment, false imprisonment, or attempted false imprisonment under the federal pleading standards.
2. Whether dismissal should be with prejudice or whether Johnston should be granted leave to amend.
3. What pleading content Johnston must provide if he elects to file an amended complaint.

HOLDINGS

1. The operative complaint failed to state a claim because it merely labeled alleged wrongdoing without providing sufficient factual allegations to make any claim plausible.
2. Despite the deficient pleading and Johnston's prior unsuccessful attempts to amend, leave to amend was appropriate under the circumstances, particularly because Johnston was proceeding pro se.
3. Any amended complaint must stand alone and separately provide short, plain factual statements identifying the right allegedly violated, each responsible defendant, the defendant's conduct and timing, the connection between that conduct and the violation, and the specific resulting injury.

KEY QUOTATIONS

“To survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” (2)

“The substantive merit of Defendants’ motion is straightforward. As the Court explained in its May 12, 2025 Order, the Complaint offers no factual allegations to support any of the apparent tort claims asserted therein for harassment, false imprisonment, or attempted false imprisonment.” (6)

“Further, should he file an amended complaint, Johnston may not incorporate any part of the Complaint, Dkt. No. 1. Instead, the amended complaint must stand alone; in other words, if filed, it must contain all factual allegations and claims upon which Johnston wishes to rely.” (7)

FACTUAL BACKGROUND

Johnston asserted claims against the City and County of Honolulu and the Honolulu Police Department based primarily on labels such as harassment, false imprisonment, attempted false imprisonment, false tickets, and wrongful detention. The operative complaint did not allege factual details identifying the legal rights violated, the specific conduct of each defendant, when the conduct occurred, or the injury caused. Johnston did not substantively respond to defendants' Rule 12(c) motion and instead filed a submission concerning unidentified Supreme Court authority, settlement, and damages.

PROCEDURAL HISTORY

Johnston filed the action and a motion for preliminary injunction in October 2024. The court denied preliminary injunctive relief after finding that the filings contained no factual support for the asserted claims, and the Ninth Circuit affirmed. Johnston's subsequent attempts to amend and obtain summary judgment did not result in relief. After Johnston failed to respond substantively to defendants' Rule 12(c) motion, the court dismissed the complaint but permitted a further amended complaint by April 16, 2026.

DISPOSITION

other

CASES CITED

- United States ex rel. Cafasso v. Gen. Dynamics C4 Sys., Inc., 637 F.3d 1047, 1054 n.4 (9th Cir. 2011)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 556, 570 (2007)
- Abagninin v. AMVAC Chem. Corp., 545 F.3d 733, 742 (9th Cir. 2008)
- AmerisourceBergen Corp. v. Dialysist West, Inc., 465 F.3d 946, 951 (9th Cir. 2006)
- Brooks v. Tapestry, Inc., 2022 WL 21872531, at *1 (E.D. Cal. Oct. 31, 2022)
- Lacey v. Maricopa County, 693 F.3d 896, 928 (9th Cir. 2012) (en banc)

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