

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

Jones v. CDCR

Jones · No. 1:24-cv-01298-KES-BAM · Decided August 15, 2025

SUMMARY

The United States District Court for the Eastern District of California vacated findings and recommendations recommending dismissal of Eugene Jones’s 42 U.S.C. § 1983 action. The court concluded that Jones’s second amended complaint was timely under the prison mailbox rule and directed that it be screened in due course.

CASE DETAILS

|                       |                                                                                                                                                                                            |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of California                                                                                                                        |
| WRITING FOR THE COURT | Barbara A. McAuliffe                                                                                                                                                                       |
| JURISDICTION          | United States District Court for the Eastern District of California                                                                                                                        |
| DECIDED               | August 15, 2025                                                                                                                                                                            |
| DOCKET                | 1:24-cv-01298-KES-BAM                                                                                                                                                                      |
| DISPOSITION           | vacated                                                                                                                                                                                    |
| PROCEDURAL POSTURE    | The court considered whether to vacate pending findings and recommendations recommending dismissal of a prisoner civil-rights action after the plaintiff filed a second amended complaint. |
| PRECEDENTIAL VALUE    | Unknown; district-court order                                                                                                                                                              |
| PARTIES               | Eugene Jones v. CDCR, et al.                                                                                                                                                               |

TOPICS

- prisoners rights
- civil rights
- motion to amend
- pleadings
- civil procedure

PRACTICE AREAS

- prisoner civil rights
- federal civil procedure

QUESTIONS PRESENTED

- Whether the plaintiff's second amended complaint was timely under the prison mailbox rule.

2. Whether the pending findings and recommendations recommending dismissal should be vacated after the timely filing of the second amended complaint.

## HOLDINGS

1. A pro se prisoner's pleading is deemed filed when delivered to prison authorities for mailing; because the second amended complaint was signed and dated before the deadline, it was timely.
2. The findings and recommendations recommending dismissal were vacated because Plaintiff timely filed the second amended complaint.

## KEY QUOTATIONS

*“Applying the mailbox rule, Plaintiff’s second amended complaint is timely. The Court therefore finds it appropriate to vacate the pending findings and recommendations.”* (at 2)

*“Under the prison mailbox rule, a pleading filed by a pro se prisoner is deemed to be filed as of the date the prisoner delivered it to prison authorities for mailing to the court clerk.”* (at 2)

## FACTUAL BACKGROUND

Eugene Jones, a state prisoner proceeding pro se and in forma pauperis, brought a civil-rights action under 42 U.S.C. § 1983. The court granted him leave to file a second amended complaint limited to an excessive-force claim against John Doe #1 and a failure-to-protect claim against John Doe #2. Although the complaint was received by the court on August 14, 2025, it was signed and dated July 12, 2025, before the July 29 deadline.

## PROCEDURAL HISTORY

The court previously screened Plaintiff's first amended complaint and issued findings and recommendations recommending dismissal for failure to state a claim. The court later granted leave to file a limited second amended complaint, but after initially recommending dismissal when no amended complaint appeared by the deadline, it determined that the second amended complaint was timely under the prison mailbox rule and vacated the pending findings and recommendations.

## DISPOSITION

vacated

## CASES CITED

- *Houston v. Lack*, 487 U.S. 266, 270 (1988)
- *Douglas v. Noelle*, 567 F.3d 1103, 1107-09 (9th Cir. 2009)
- *Butler v. Long*, 752 F.3d 1177, 1178 n. 1 (9th Cir. 2014)