

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Estate of Vincent Frank Boscaino, Jr., et al. v. Adventist Health
Hanford, et al.

No. 1:24-cv-00689-JLT-EPG (E.D. Cal. Dec. 9, 2025) (findings and recommendations) · No. 1:24-cv-00689-JLT-EPG · Decided December 9, 2025

SUMMARY

The document contains findings and recommendations from the U.S. District Court for the Eastern District of California concerning Adventist Health Hanford’s motion to dismiss. The court recommends denying the motion because it was directed at a superseded complaint and, in any event, supplemental jurisdiction exists over the related state-law medical negligence, negligence, and wrongful death and survival claims. The court found that the federal and state claims arise from a common nucleus of operative fact concerning the decedent’s allegedly inadequate medical care and death.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 9, 2025
DOCKET	1:24-cv-00689-JLT-EPG
DISPOSITION	other
PROCEDURAL POSTURE	Findings and recommendations on Defendant Adventist Health Hanford's motion to dismiss state-law claims for lack of, or discretionary grounds to decline, supplemental jurisdiction. The magistrate judge recommended denial because the motion targeted a superseded complaint and, in any event, the federal and state claims shared a common nucleus of operative fact.
STANDARD OF REVIEW	The court applied the supplemental-jurisdiction standards under 28 U.S.C. § 1367(a) and (c), assessing whether the claims shared a common nucleus of operative fact and whether any statutory or discretionary basis warranted declining jurisdiction.
PRECEDENTIAL VALUE	Nonprecedential findings and recommendations; not a final district court disposition unless adopted.

TOPICS

motions to dismiss

subject matter jurisdiction

medical malpractice

civil procedure

wrongful death

PRACTICE AREAS

civil procedure

health law

medical malpractice

civil rights

QUESTIONS PRESENTED

1. Whether Adventist's motion to dismiss should be denied as moot because it targeted the superseded first amended complaint.
2. Whether the federal deliberate-indifference claims and state-law claims against Adventist shared a common nucleus of operative fact sufficient to support supplemental jurisdiction under 28 U.S.C. § 1367(a).
3. Whether the court should decline to exercise supplemental jurisdiction under 28 U.S.C. § 1367(c).

HOLDINGS

1. An amended pleading supersedes the prior pleading, so a motion directed at the superseded first amended complaint is moot; Adventist's decision to answer the second amended complaint rather than renew its motion did not preserve the earlier motion as a challenge to the operative pleading.
2. The court had supplemental jurisdiction over the state-law claims against Adventist because those claims shared a common nucleus of operative fact with the federal deliberate-indifference claims.
3. The circumstances did not warrant declining supplemental jurisdiction over the state-law claims against Adventist.

KEY QUOTATIONS

“A state law claim is part of the same case or controversy when it shares a ‘common nucleus of operative fact’ with the federal claims and the state and federal claims would normally be tried together.”

“As the Ninth Circuit has observed, there is a “well-established doctrine that an amended pleading supersedes the original pleading” and thus, “after amendment[,] the original pleading no longer performs any function and is treated thereafter as non-existent.””

FACTUAL BACKGROUND

The complaint alleges that Vincent Frank Boscaino, Jr., experienced serious medical symptoms while incarcerated on June 14, 2023, and died after allegedly inadequate care by multiple defendants during an approximately two-hour period. Plaintiffs assert federal deliberate-indifference claims against correctional and ambulance-related defendants and state medical-negligence, negligence, wrongful-death, and survival claims against Adventist Health Hanford and others. The claims against Adventist concern alleged delays and deficiencies in emergency treatment after Boscaino arrived at Adventist's emergency department.

PROCEDURAL HISTORY

Plaintiffs filed the action on June 12, 2024, and later filed amended complaints. Adventist moved to dismiss the first amended complaint on September 17, 2025. Before the motion was resolved, Plaintiffs filed a second amended complaint, which became the operative pleading, and Adventist answered it without renewing the motion. The court recommended denying the motion as moot and, alternatively, continuing to exercise supplemental jurisdiction over the state-law claims.

DISPOSITION

other

CASES CITED

- *Bahrampour v. Lampert*, 356 F.3d 969, 978 (9th Cir. 2004)
- *Acri v. Varian Associates, Inc.*, 114 F.3d 999, 1000-1001 (9th Cir. 1997)
- *Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir. 1992), as amended (May 22, 1992)
- *Ramirez v. County of San Bernardino*, 806 F.3d 1002, 1008 (9th Cir. 2015)
- *Rhodes v. Placer County*, No. 2:09-CV-00489 MCE, 2011 WL 1302264, at *24 (E.D. Cal. Mar. 31, 2011), report and recommendation adopted, No. 2:09-CV-00489-MCE, 2011 WL 1739963 (E.D. Cal. May 4, 2011)
- *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th Cir. 2014)
- *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991)