

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Shaun R. Harrison v. Campbell, et al.

Harrison v. Campbell · No. 1:23-cv-00832-KES-BAM (PC) · Decided September 22, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted findings and recommendations recommending dismissal of Shaun R. Harrison’s 42 U.S.C. § 1983 action. The court held that allegations concerning destruction of property and denial of access to the courts failed to state cognizable claims and dismissed the action with prejudice.

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	September 22, 2025
DOCKET	1:23-cv-00832-KES-BAM (PC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff objected to a magistrate judge's findings and recommendations recommending dismissal of his amended prisoner civil-rights complaint. The district court conducted de novo review, adopted the findings and recommendations, and dismissed the action with prejudice for failure to state a cognizable claim.
STANDARD OF REVIEW	De novo review of the magistrate judge's findings and recommendations under 28 U.S.C. § 636(b)(1).
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Shaun R. Harrison v. Campbell, et al.

TOPICS

- section 1983
- prisoners rights
- civil rights
- pleadings
- motions to dismiss

PRACTICE AREAS

- civil rights
- prisoner civil rights
- federal civil procedure

QUESTIONS PRESENTED

1. Whether allegations that prison officials negligently or intentionally destroyed a prisoner's property stated a cognizable claim under 42 U.S.C. § 1983.
2. Whether allegations that denial of law-library access caused an untimely habeas petition stated a cognizable denial-of-access-to-courts claim.
3. Whether the magistrate judge's recommendation to dismiss the amended complaint for failure to comply with Federal Rule of Civil Procedure 8 and failure to state a claim should be adopted.

HOLDINGS

1. Allegations of negligent or intentional deprivation of a prisoner's property do not state a claim under § 1983 when the state provides an adequate post-deprivation remedy. California's tort claim process provided such a remedy here.
2. A prisoner claiming denial of access to the courts must allege that the denial hindered efforts to pursue a legal claim and must properly plead the underlying claim, including facts showing its merit. Harrison's failure to identify and sufficiently plead an underlying claim rendered his allegations noncognizable.
3. Dismissal with prejudice was proper because the amended complaint failed to comply with Federal Rule of Civil Procedure 8 and failed to state a cognizable claim for relief under § 1983.

KEY QUOTATIONS

“a negligent or intentional deprivation of a prisoner’s property fails to state a claim under section 1983 if the state has an adequate post deprivation remedy.” (at 2)

“prison law libraries “are not ends in themselves, but only the means for ensuring ‘a reasonably adequate opportunity to present claimed violations of fundamental constitutional rights to the courts.’” (at 2)

FACTUAL BACKGROUND

Harrison alleged that prison cell searches resulted in the destruction of his property. He also alleged that he was denied access to the law library during a lockdown and that the denial caused actual injury because his habeas petition was dismissed as untimely. The court found that the property allegations were covered by California's adequate post-deprivation remedy and that the access-to-courts allegations did not identify an underlying legal claim or facts showing its merit.

PROCEDURAL HISTORY

Harrison, a state prisoner proceeding pro se and in forma pauperis, filed a 42 U.S.C. § 1983 action. The magistrate judge screened the first amended complaint and recommended dismissal for failure to comply with Federal Rule of Civil Procedure 8 and failure to state a claim. After Harrison filed timely objections, the district court conducted de novo review under 28 U.S.C. § 636(b)(1), adopted the findings and recommendations in full, and closed the case.

DISPOSITION

dismissed

CASES CITED

- Barnett v. Centoni, 31 F.3d 813, 816-17 (9th Cir. 1994)
- Lewis v. Casey, 518 U.S. 343, 351 (1996)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 SHAUN R. HARRISON, No. 1:23-cv-00832-KES-BAM (PC) 12 Plaintiff,
ORDER ADOPTING FINDINGS AND RECOMMENDATIONS TO DISMISS 13 v. ACTION
FOR FAILURE TO STATE A CLAIM 14 CAMPBELL, et al., (Doc. 19) 15 Defendants. 16 17
Plaintiff Shaun R. Harrison is a state prisoner proceeding pro se and in forma pauperis in 18 this
civil rights action filed pursuant to 42 U.S.C. § 1983.

19 On November 13, 2023, the assigned magistrate judge screened the first amended 20 complaint
and issued findings and recommendations, recommending that this action be dismissed 21 for
failure to comply with Federal Rule of Civil Procedure 8 and failure to state a cognizable 22 claim
upon which relief may be granted. Doc. 19. Plaintiff was directed to file objections within 23
fourteen (14) days.

Id. Following an extension of time, plaintiff timely filed objections on 24 January 2, 2024. Doc.
23. 25 In accordance with 28 U.S.C. § 636(b)(1), this Court has conducted a de novo review of 26
this case. In his objections, plaintiff argues that he was subjected to cell searches that resulted in
27 the destruction of his property. Doc. 23 at 4.

However, plaintiff's allegations, on their own, do 28 not state a cognizable claim for relief under
28 U.S.C. § 1983 because California's tort claim 1 process provides an adequate post-deprivation
remedy for the destruction of property. Doc. 19 at 2 8-9; Barnett v. Centoni, 31 F.3d 813, 816-17
(9th Cir. 1994) ("a negligent or intentional 3 deprivation of a prisoner's property fails to state a
claim under section 1983 if the state has an 4 adequate post deprivation remedy.").

5 Plaintiff also objects to the dismissal of his access to court claim, arguing that he was 6
completely denied access to the law library for the period of time of the lockdown and that the 7
denial of access to the law library caused him actual injury because his habeas petition was 8
denied as untimely. Doc. 23 at 5–6.

However, a plaintiff seeking relief must allege that the 9 denial hindered his efforts to pursue a
legal claim. Lewis v. Casey, 518 U.S. 343, 351 (1996) 10 (prison law libraries "are not ends in
themselves, but only the means for ensuring 'a reasonably 11 adequate opportunity to present
claimed violations of fundamental constitutional rights to the 12 courts.'").

As the findings and recommendations note, to state a cognizable claim, plaintiff 13 needed to properly plead the underlying claim as if the underlying claim was being independently 14 pursued along with the remedy for the claim. Doc. 19 at 11. Plaintiff fails to identify the 15 underlying claim and does not state sufficient facts to show any merit to such claim, and he fails 16 to state a cognizable claim for denial of access.

17 Having carefully reviewed the file, including plaintiff's objections, the Court finds the 18 findings and recommendations to be supported by the record and by proper analysis. 19 /// 20 /// 21 /// 22 /// 23 /// 24 /// 25 /// 26 /// 27 /// 28 /// 1 Accordingly: 2 1.

The findings and recommendations issued on November 13, 2023, Doc. 19, are 3 adopted in full; 4 2. This action is dismissed with prejudice for failure to state a cognizable claim upon 5 which relief may be granted; and 6 3.

The Clerk of the Court is directed to close this case. 7 8 g | SO ORDERED. _ 10 Dated: _ September 21, 2025 4h UNITED STATES DISTRICT JUDGE 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28