

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Ronald Nathaniel Hurtado v. Officer N. Reveles, et al.

Hurtado · No. 25-cv-06437-RMI · Decided October 28, 2025

SUMMARY

The United States District Court for the Northern District of California screened a pro se prisoner’s 42 U.S.C. § 1983 complaint. The court found cognizable Eighth Amendment excessive-force claims against Correctional Officers N. Reveles and N. Perez, ordered electronic service, and established procedures for dispositive motions, exhaustion notices, and further case administration.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Robert M. Illman
JURISDICTION	United States District Court for the Northern District of California
DECIDED	October 28, 2025
DOCKET	25-cv-06437-RMI
DISPOSITION	other
PROCEDURAL POSTURE	A state prisoner proceeding pro se filed a civil-rights complaint under 42 U.S.C. § 1983. The court conducted preliminary screening under 28 U.S.C. § 1915A and entered an order of service after finding a cognizable Eighth Amendment excessive-force claim.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court must screen a prisoner complaint seeking redress from a governmental entity or officer and dismiss claims that are frivolous, malicious, fail to state a claim, or seek monetary relief from an immune defendant. Pro se pleadings are liberally construed, and a complaint must contain sufficient factual matter to state a plausible claim for relief.
PRECEDENTIAL VALUE	Unpublished district-court order; nonprecedential

TOPICS

- section 1983
- prisoners rights
- police misconduct
- cruel and unusual punishment
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the prisoner's complaint stated a cognizable claim under 42 U.S.C. § 1983.
2. Whether the allegations that correctional officers grabbed, slammed, and restrained the prisoner stated an Eighth Amendment excessive-force claim.
3. What screening, service, and case-management procedures should apply after the court found a cognizable claim.

HOLDINGS

1. The complaint plausibly alleged a violation of a constitutional right by persons acting under color of state law and therefore stated a cognizable § 1983 claim.
2. Liberally construed, the allegations against Officers Reveles and Perez stated a cognizable claim for excessive force in violation of the Eighth Amendment.
3. The court ordered electronic service of the complaint and related documents on Correctional Officers N. Reveles and N. Perez through the California Department of Corrections and Rehabilitation's e-service program.

KEY QUOTATIONS

“Federal courts must engage in a preliminary screening of cases where prisoners seek redress from a governmental entity, or from an officer or employee of a governmental entity.” (at 1)

“A complaint must proffer “enough facts to state a claim to relief that is plausible on its face.”” (at 1)

“To state a claim under 42 U.S.C. § 1983, a plaintiff must allege two essential elements: (1) that a right secured by the Constitution or laws of the United States was violated, and (2) that the alleged deprivation was committed by a person acting under the color of state law.” (at 1)

FACTUAL BACKGROUND

On July 2, 2024, Ronald Nathaniel Hurtado was walking toward his housing unit at Salinas Valley State Prison when an alarm sounded. After he was handcuffed and escorted by Officers Reveles and Perez, the officers allegedly grabbed him, slammed him to the ground, placed their knees on his back, neck, head, and shoulders, and ignored his statements that he was in pain and could not feel his neck. Hurtado also alleged that Reveles slammed him backward while he was entering a program office.

PROCEDURAL HISTORY

Plaintiff filed a prisoner civil-rights complaint against correctional officers N. Reveles and N. Perez. The court granted leave to proceed in forma pauperis by separate order, found the excessive-force allegations cognizable, ordered electronic service on the defendants, and set procedures and deadlines for service, discovery, and dispositive motions.

DISPOSITION

other

CASES CITED

- Balistreri v. Pacifica Police Department, 901 F.2d 696, 699 (9th Cir. 1990)
- Erickson v. Pardus, 551 U.S. 89, 93 (2007)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 679 (2009)
- West v. Atkins, 487 U.S. 42, 48 (1988)
- Hudson v. McMillian, 503 U.S. 1, 6-7 (1992)
- Rand v. Rowland, 154 F.3d 952, 953-954, 960 (9th Cir. 1998) (en banc)
- Wyatt v. Terhune, 315 F.3d 1108, 1120 n.4 (9th Cir. 2003)
- Woods v. Carey, 684 F.3d 934, 940-941 (9th Cir. 2012)
- Klingele v. Eikenberry, 849 F.2d 409, 411-12 (9th Cir. 1988)

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6 7
RONALD NATHANIEL HURTADO, Case No. 25-cv-06437-RMI 8 Plaintiff, ORDER OF
SERVICE v. 9 10 OFFICER N. REVELES, et al., Defendants. 11 12 13 Plaintiff, a state prisoner
proceeding pro se, filed a civil rights complaint under 42 U.S.C. 14 § 1983. Plaintiff is granted
leave to proceed in forma pauperis by separate order.

15 DISCUSSION 16 1. Standard of Review 17 Federal courts must engage in a preliminary
screening of cases where prisoners seek 18 redress from a governmental entity, or from an officer
or employee of a governmental entity. 28 19 U.S.C. § 1915A(a).

In its review, the court must identify any cognizable claims and dismiss any 20 claims which are
frivolous, malicious, fail to state a claim upon which relief may be granted, or 21 seek monetary
relief from a defendant who is immune from such relief. Id. at § 1915A(b)(1), (2). 22 Pleadings
submitted by pro se parties must be liberally construed. Balistreri v. Pacifica Police 23 Dep’t, 901
F.2d 696, 699 (9th Cir.

1990). 24 Federal Rule of Civil Procedure 8(a)(2) requires only “a short and plain statement of the
25 claim showing that the pleader is entitled to relief.” While specific facts are not necessary, the
26 statement needs to give the defendant fair notice of the nature of the claim and the grounds
upon 27 which it rests. Erickson v. Pardus, 551 U.S. 89, 93 (2007).

Although a plaintiff need not include 1 cause of action and state conclusions; rather, a plaintiff
must state factual allegations sufficient to 2 raise the entitlement to relief “above the speculative

level.” *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555 (2007). A complaint must proffer “enough facts to state a claim to relief that is plausible on its face.” *Id.* at 570.

The Supreme Court has explained the standard this way: “While legal conclusions can provide the framework of a complaint, they must be supported by factual allegations... [and] [w]hen there are well-pleaded factual allegations, a court should assume their veracity and then determine whether they plausibly give rise to an entitlement to relief.” *Ashcroft v. Iqbal*, 556 U.S. 662, 679 (2009).

To state a claim under 42 U.S.C. § 1983, a plaintiff must allege two essential elements: (1) that a right secured by the Constitution or laws of the United States was violated, and (2) that the alleged deprivation was committed by a person acting under the color of state law. *West v. Atkins*, 487 U.S. 42, 48 (1988). 2. Legal Claims Plaintiff alleges that on July 2, 2024, he was walking toward his housing unit at Salinas Valley State Prison when there was an alarm.

He laid down in a prone position and was handcuffed and brought to his feet. As Defendants Reveles and Perez were escorting plaintiff, plaintiff stopped and started to clear his throat. Defendant Perez ordered him to spit, and Defendant Reveles grabbed his throat and Defendant Perez grabbed his chest area. Plaintiff asked Defendant Perez why he grabbed his throat.

Defendants slammed plaintiff forward, with the right side of his face and body on the ground. Defendant Reveles had his knees on Plaintiff’s back and neck, and Defendant Perez had his knees on Plaintiff’s head and shoulders. Plaintiff asked them to get off because he was in pain and the blood flow to his neck and head was stopping, and he could not feel his neck.

Defendants responded that was not their problem and told him not to move. Defendant Reveles also slammed Plaintiff backwards while Plaintiff was stepping into the program office. Librarian construed, Plaintiff states a claim against both defendants for excessive force in violation of the Eighth Amendment. See *Hudson v. McMillian*, 503 U.S. 1, 6-7 (1992).

The Court orders that the following Defendants be served electronically at Salinas Valley State Prison: Correctional Officers N. Reveles and N. Perez of Facility B. Service on the listed Defendants will be effected via the California Department of Corrections and Rehabilitation’s (CDCR) e-service program for civil rights cases from prisoners in CDCR custody.

In accordance with the program, the Clerk is directed to serve on CDCR via email the following documents: the complaint, this order of service, the notice of assignment of prisoner case to a United States magistrate judge and accompanying magistrate judge jurisdiction consent or declination to consent form, a CDCR Report of E-Service Waiver form and a summons.

The Clerk is also requested to serve a copy of this order on Plaintiff. No later than 40 days after service of this order via email on CDCR, CDCR shall provide the court a completed CDCR

Report of E-Service Waiver advising the Court which Defendants 12 listed in this order will be waiving service of process without the need for service by the United 13 States Marshal Service (USMS) and which Defendants decline to waive service or could not be 14 reached.

CDCR also shall provide a copy of the CDCR Report of E-Service Waiver and of the 15 notice of assignment of prisoner case to a magistrate judge and accompanying magistrate judge 16 jurisdiction consent or declination to consent form to the California Attorney General's Office, 17 which, within 21 days, shall file with the court a waiver of service of process for the Defendants 18 who are waiving service and, within 28 days thereafter, shall file a magistrate judge jurisdiction 19 consent or declination to consent form as to the defendants who waived service.

20 Upon receipt of the CDCR Report of E-Service Waiver, the Clerk is requested to prepare 21 for each Defendant who has not waived service according to the CDCR Report of E-Service 22 Waiver a USM-285 Form. The Clerk will provide to the USMS the completed USM-285 forms 23 and copies of this order, the summons and the operative complaint for service upon each 24 Defendant who has not waived service.

The Clerk will also provide to the USMS a copy of the 25 CDCR Report of E-Service Waiver. 26 In order to expedite the resolution of this case, the court orders as follows: 27 No later than sixty days from the date of service, Defendants shall file their motion for 1 factual documentation and shall conform in all respects to Federal Rule of Civil Procedure 56 and 2 shall include as exhibits all records and incident reports stemming from the events at issue.

If 3 Defendants are of the opinion that this case cannot be resolved by such a motion, they shall so 4 inform the court prior to the date that such motion is due. Moreover, all papers filed with the court 5 shall be promptly served on Plaintiff. 6 At the time the dispositive motion is served, Defendants shall also serve, on a separate 7 paper, the appropriate notice or notices required by *Rand v. Rowland*, 154 F.3d 952, 953-954 (9th 8 Cir.

1998) (en banc), and *Wyatt v. Terhune*, 315 F.3d 1108, 1120 n.4 (9th Cir. 2003); see *Woods v. 9 Carey*, 684 F.3d 934, 940-941 (9th Cir. 2012) (finding that *Rand* and *Wyatt* notices must be given 10 at the time motions for summary judgment or motion to dismiss for non-exhaustion are filed, not 11 earlier); *Rand*, 154 F.3d at 960 (establishing the separate paper requirement).

12 Plaintiff's opposition to the dispositive motion, if any, shall be filed with the court and 13 served upon Defendants no later than thirty days from the date the motion is served upon him. 14 Additionally, Plaintiff must read the attached page headed "NOTICE – WARNING," which is 15 provided to him pursuant to *Rand*, 154 F.3d at 953-954, and *Klinge v. Eikenberry*, 849 F.2d 409, 16 411-12 (9th Cir.

1988). 17 If Defendants file a motion for summary judgment claiming that Plaintiff failed to exhaust 18 his available administrative remedies as required by 42 U.S.C. § 1997e(a), Plaintiff

should take note of the attached page headed “NOTICE – WARNING (EXHAUSTION),” which is provided to him as required by Wyatt, 315 F.3d at 1120 n.4. If Defendants wish to file a reply brief, they shall do so no later than fifteen days after the opposition is served.

The motion shall be deemed submitted as of the date the reply brief is due. No hearing will be held on the motion unless the court so orders at a later date. All communications by Plaintiff with the court must be served on Defendants, or Defendants’ counsel, if and when counsel has been designated, by mailing a true copy of the document to Defendants or Defendants’ counsel.

Discovery may be taken in accordance with the Federal Rules of Civil Procedure. No Finally, it is Plaintiff’s responsibility to prosecute this case. Plaintiff must keep the court informed of any change of address by filing a separate paper with the clerk headed “Notice of Change of Address.” He also must comply with the court’s orders in a timely fashion.

Failure to do so may result in the dismissal of this action for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). IT IS SO ORDERED. Dated: October 28, 2025
ROBERT M. ILLMAN United States Magistrate Judge
1 NOTICE -- WARNING (SUMMARY JUDGMENT) 2 If defendants move for summary judgment, they are seeking to have your case dismissed.

A motion for summary judgment under Rule 56 of the Federal Rules of Civil Procedure will, if granted, end your case. Rule 56 tells you what you must do in order to oppose a motion for summary judgment. Generally, summary judgment must be granted when there is no genuine issue of material fact-- that is, if there is no real dispute about any fact that would affect the result of your case, the party who asked for summary judgment is entitled to judgment as a matter of law, which will end your case.

When a party you are suing makes a motion for summary judgment that is properly supported by declarations (or other sworn testimony), you cannot simply rely on what your complaint says. Instead, you must set out specific facts in declarations, depositions, answers to interrogatories, or authenticated documents, as provided in Rule 56(e), that contradict the facts shown in the defendant’s declarations and documents and show that there is a genuine issue of material fact for trial.

If you do not submit your own evidence in opposition, summary judgment, if appropriate, may be entered against you. If summary judgment is granted, your case will be dismissed and there will be no trial. NOTICE -- WARNING (EXHAUSTION) If defendants file a motion for summary judgment for failure to exhaust, they are seeking to have your case dismissed.

If the motion is granted it will end your case. You have the right to present any evidence you may have which tends to show that you did exhaust your administrative remedies. Such evidence may be in the form of declarations (statements signed under penalty of perjury) or

authenticated documents, that is, documents accompanied by a declaration showing 23 where they came from and why they are authentic, or other sworn papers, such as answers to 24 interrogatories or depositions.

If defendants file a motion for summary judgment for failure to 25 exhaust and it is granted, your case will be dismissed and there will be no trial. 26 27

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