

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Fortner v. Lake County Jail

No. 25-cv-03451-HSG (N.D. Cal. May 6, 2025) · No. 25-cv-03451-HSG · Decided May 6, 2025

SUMMARY

The United States District Court for the Northern District of California dismissed Andy Lashawn Fortner’s pro se 42 U.S.C. § 1983 complaint against Lake County Jail-related defendants for failure to state a federal claim. The court granted leave to amend within 28 days and cautioned the plaintiff regarding duplicative litigation, frequent filings, and potential consequences under 28 U.S.C. § 1915(g).

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Haywood S. Gilliam, Jr.
JURISDICTION	United States District Court for the Northern District of California
DECIDED	May 6, 2025
DOCKET	25-cv-03451-HSG
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se pretrial detainee brought an action under 42 U.S.C. § 1983. The district court screened the complaint under 28 U.S.C. § 1915A and dismissed it for failure to state a federal claim, granting leave to amend.
STANDARD OF REVIEW	De novo preliminary screening under 28 U.S.C. § 1915A, including dismissal of claims that are frivolous, malicious, fail to state a claim, or seek monetary relief from an immune defendant. Pro se pleadings are liberally construed, but must satisfy Federal Rule of Civil Procedure 8(a)(2) and allege facts sufficient to state a plausible claim.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	Andy Lashawn Fortner v. Lake County Jail, et al.

TOPICS

- prisoners rights
- section 1983
- pleadings
- civil procedure
- subject matter jurisdiction

PRACTICE AREAS

civil procedure

civil rights

prisoner litigation

QUESTIONS PRESENTED

1. Whether the complaint stated a cognizable claim under 42 U.S.C. § 1983 sufficient to survive preliminary screening.
2. Whether the complaint satisfied Federal Rule of Civil Procedure 8(a)(2) by providing a short and plain statement showing entitlement to relief.
3. Whether dismissal should be with leave to amend.

HOLDINGS

1. The complaint failed to state a claim under § 1983 because it did not allege a violation of a right secured by the Constitution or laws of the United States committed by a person acting under color of state law.
2. The complaint did not satisfy the requirement to state a claim showing entitlement to relief because it failed to identify a cognizable federal claim and did not provide sufficient factual allegations connecting the defendants' conduct to such a violation.
3. Dismissal was granted with leave to amend in the interests of justice.

KEY QUOTATIONS

“A federal court must conduct a preliminary screening in any case in which a prisoner seeks redress from a governmental entity or officer or employee of a governmental entity.” (at 1)

“The Court DISMISSES the complaint for failure to state a claim because it does not allege any violation of federal law or the federal Constitution, as is needed to state a claim under 42 U.S.C. § 1983 and for federal subject matter jurisdiction.” (at 2)

“For the foregoing reasons, the Court DISMISSES the complaint with leave to amend.” (at 5)

FACTUAL BACKGROUND

The plaintiff was a pretrial detainee housed at Lake County Jail. He alleged that Deputy Saye Phil would not allow him to obtain water, that Deputy Skoff made him take medication without water, and that he was twice falsely accused and written up three times for stockpiling medication. The court concluded that these allegations, as pleaded, did not identify a violation of federal law or the federal Constitution.

PROCEDURAL HISTORY

Fortner filed a complaint against Lake County Jail personnel and was granted leave to proceed in forma pauperis in a separate order. The court conducted mandatory prisoner-complaint screening, found that the allegations did not state a violation of federal law or the Constitution, dismissed the complaint with leave to amend, and ordered an amended complaint within twenty-eight days.

DISPOSITION

dismissed

CASES CITED

- Jackson v. Arizona, 885 F.2d 639, 641 (9th Cir. 1989)
- United States v. Qazi, 975 F.3d 989, 993 (9th Cir. 2020)
- Erickson v. Pardus, 551 U.S. 89, 93 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 677-78 (2009)
- West v. Atkins, 487 U.S. 42, 48 (1988)
- Kokkonen v. Guardian Life Insurance Co. of America, 511 U.S. 375, 377 (1994)
- Bailey v. Johnson, 846 F.2d 1019, 1021 (5th Cir. 1988)
- Cato v. United States, 70 F.3d 1103, 1105 n.2 (9th Cir. 1995)
- Van Meter v. Morgan, 518 F.2d 366, 368 (8th Cir. 1975)
- Lacey v. Maricopa County, 693 F.3d 896, 925 (9th Cir. 2012) (en banc)

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