

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Floyd v. Singh

Floyd v. Singh · No. 24-cv-06879-AGT · Decided August 8, 2025

SUMMARY

The United States District Court for the Northern District of California grants defendants’ motion to dismiss in part in this pro se civil-rights action arising from Floyd’s arrest and treatment at a gym. The court dismisses the First, Second, and Fourth Amendment claims with leave to amend for failure to link specific defendants to specific conduct and dismisses the Fourteenth Amendment excessive-force claims and state-law emotional-distress claims without leave to amend. An amended complaint may be filed by September 5, 2025.

CASE DETAILS

COURT	United States District Court for the Northern District of California
JURISDICTION	United States District Court for the Northern District of California
DECIDED	August 8, 2025
DOCKET	24-cv-06879-AGT
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved to stay the action pending resolution of state criminal charges or, alternatively, to dismiss under Federal Rule of Civil Procedure 12(b)(6). The court denied the stay request as moot because the criminal charges had been dismissed, granted the motion to dismiss in part, and allowed amendment of three claims.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the complaint must contain sufficient factual matter, accepted as true, to state a claim for relief that is plausible on its face. Conclusory allegations are not entitled to the assumption of truth. For a pro se complaint, dismissal without leave to amend is proper only when it is absolutely clear that the deficiencies cannot be cured by amendment.
PRECEDENTIAL VALUE	Unknown; district-court order with no reporter or neutral citation and metadata indicating unknown precedential status.
PARTIES	Michael Devin Floyd v. Jagdeep Singh, Cameron Sawyer

TOPICS

motions to dismiss

section 1983

civil rights

municipal liability

civil procedure

PRACTICE AREAS

civil procedure

civil rights

constitutional law

municipal law

QUESTIONS PRESENTED

1. Whether the claims against the officers in their official capacities stated a claim under § 1983 absent allegations of a Hayward policy, ordinance, regulation, or decision causing the alleged injuries.
2. Whether Floyd adequately pleaded personal participation by each defendant in the alleged Fourth Amendment search and seizure claims.
3. Whether the claim concerning collection of Floyd's personal items adequately alleged conduct by the named defendants.
4. Whether excessive-force claims arising during an arrest or seizure may be pleaded under the Fourteenth Amendment rather than the Fourth Amendment.
5. Whether Floyd's California emotional-distress claims were barred by failure to comply with the California Government Claims Act and by abandonment of the claims through failure to oppose dismissal.

HOLDINGS

1. Claims against the officers in their official capacities were dismissed because Floyd did not allege that a City of Hayward policy, ordinance, regulation, or officially adopted decision caused his injuries.
2. The first and second § 1983 claims, alleging an unlawful search of Floyd's cell phone and an unlawful seizure of his person, were dismissed with leave to amend because the complaint did not identify which defendant engaged in which conduct.
3. The fourth claim was dismissed with leave to amend because the gym manager was not a defendant and the complaint did not allege which officer caused or permitted the alleged seizure of Floyd's possessions.
4. The third and fifth claims were dismissed without leave to amend because excessive-force claims arising during an arrest, investigatory stop, or other seizure of a free citizen are analyzed under the Fourth Amendment, not the Fourteenth Amendment.
5. The sixth and seventh claims for negligent and intentional infliction of emotional distress were dismissed without leave to amend because Floyd did not allege compliance with the California Government Claims Act and did not oppose dismissal.

KEY QUOTATIONS

“To survive a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6), a complaint must “contain sufficient factual matter, accepted as true, to ‘state a claim to relief that is plausible on its face.’” (at 2)

“In Graham v. Connor, the Supreme Court held that “all claims that law enforcement officers have used excessive force — deadly or not — in the course of an arrest, investigatory stop, or other ‘seizure’ of a free citizen should be analyzed under the Fourth Amendment” (at 7)

FACTUAL BACKGROUND

Floyd alleged that two Hayward police officers encountered him in the locker room of a 24 Hour Fitness gym after the gym manager ordered him to leave and another gym member accused him of harassment. The officers allegedly attempted to handcuff Floyd, removed his hands from a locker, pinned him to the ground, and threatened to use a taser. Floyd further alleged that his possessions were collected by a gym manager and that one officer later appeared to manipulate his cell phone. He asserted Fourth and Fourteenth Amendment claims under § 1983 and California negligent- and intentional-infliction-of-emotional-distress claims.

PROCEDURAL HISTORY

Floyd filed a civil-rights action under 42 U.S.C. § 1983 against Hayward police officers Jagdeep Singh and Cameron Sawyer in their individual and official capacities, together with state-law claims. Defendants moved to stay or dismiss. The court denied the stay request as moot, dismissed the first, second, and fourth claims with leave to amend, dismissed the third, fifth, sixth, and seventh claims without leave to amend, and set a deadline for an amended complaint.

DISPOSITION

other

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Akhtar v. Mesa, 698 F.3d 1202, 1212 (9th Cir. 2012)
- Bennett v. Medtronic, Inc., 285 F.3d 801, 803 n.2 (9th Cir. 2002)
- Hafer v. Melo, 502 U.S. 21, 27 (1991)
- Monell v. Department of Social Services of City of New York, 436 U.S. 658, 690 (1978)
- Shoshone-Bannock Tribes v. Fish & Game Commission, Idaho, 42 F.3d 1278, 1284 (9th Cir. 1994)
- Jones v. Williams, 297 F.3d 930, 934 (9th Cir. 2002)
- Hopkins v. Bonvicino, 573 F.3d 752, 769-70 (9th Cir. 2009)
- Chuman v. Wright, 76 F.3d 292, 295 (9th Cir. 1996)
- Leer v. Murphy, 844 F.2d 628, 633 (9th Cir. 1988)
- Broam v. Bogan, 320 F.3d 1023, 1026 n.2 (9th Cir. 2003)
- Schneider v. California Department of Corrections, 151 F.3d 1194, 1197 n.1 (9th Cir. 1998)
- Graham v. Connor, 490 U.S. 386, 395 (1989)
- Steel v. City of San Diego, 726 F. Supp. 2d 1172, 1180 (S.D. Cal. 2010)

- Wills v. City of Monterey, 617 F. Supp. 3d 1107, 1126-27 (N.D. Cal. 2022)
- State v. Superior Court (Bodde), 32 Cal. 4th 1234, 1243-44 (2004)
- Jenkins v. County of Riverside, 398 F.3d 1093, 1095 n.4 (9th Cir. 2005)
- Namisnak v. Uber Technologies, Inc., 444 F. Supp. 3d 1136, 1146 (N.D. Cal. 2020)

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