

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Abraham Kim v. Los Angeles County Sheriff's Department, et al.

Case No. 2:24-cv-10591-CAS-JC · No. 2:24-cv-10591-CAS-JC · Decided April 7, 2025

SUMMARY

The United States District Court for the Central District of California dismissed Abraham Kim’s pro se civil-rights complaint against the Los Angeles County Sheriff’s Department and Jailer Garcia, allowing leave to amend. The court found that the complaint violated Federal Rule of Civil Procedure 8 and failed to adequately identify defendants’ conduct, state viable individual-capacity claims, or allege a County or LASD policy or custom supporting official-capacity liability. Plaintiff was ordered to file a First Amended Complaint or a notice of voluntary dismissal within 21 days.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Jacqueline Chooljian
JURISDICTION	United States District Court for the Central District of California
DECIDED	April 7, 2025
DOCKET	2:24-cv-10591-CAS-JC
DISPOSITION	dismissed
PROCEDURAL POSTURE	Initial screening of a pro se civil-rights complaint filed in forma pauperis under 28 U.S.C. § 1915(e)(2)(B).
STANDARD OF REVIEW	On in forma pauperis screening, the court applies the same standard used for a Rule 12(b)(6) motion, construed in conjunction with Rule 8(a): well-pleaded factual allegations are accepted as true, but conclusory allegations and threadbare recitals are not, and the complaint must contain sufficient factual matter to state a plausible claim for relief.
PRECEDENTIAL VALUE	Nonprecedential district-court order
PARTIES	Abraham Kim v. Los Angeles County Sheriff's Department, Jailer Garcia

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QUESTIONS PRESENTED

1. Whether the complaint satisfied Federal Rule of Civil Procedure 8 by providing defendants fair notice of the claims and the factual grounds supporting them.
2. Whether the complaint stated a plausible claim under 42 U.S.C. § 1983 against the Los Angeles County Sheriff's Department or Jailer Garcia in his or her official capacity.
3. Whether dismissal should be with leave to amend where the pleading defects might be cured by alleging additional or different facts.

HOLDINGS

1. The complaint violated Rule 8 because its lengthy, vague, contradictory, and incoherent allegations did not give defendants fair notice of the claims, the factual basis for those claims, or the conduct attributable to each defendant.
2. The complaint failed to state a § 1983 claim against the Los Angeles County Sheriff's Department or Jailer Garcia in an official capacity because it did not plausibly allege that a County or LASD policy, custom, or practice was the moving force behind the alleged constitutional violations.
3. The complaint was dismissed with leave to amend because it was possible that Kim could cure the identified pleading defects by alleging different or additional facts.

KEY QUOTATIONS

“To avoid dismissal on screening, a complaint must “contain sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.”” (at 6)

“The “‘short and plain statement’ must provide defendants with ‘fair notice of what the plaintiff’s claim is and the grounds upon which it rests.’”” (at 9)

“A claim against a defendant in his or her official capacity is equivalent to a claim against the state or local government entity that employs the named individual.” (at 13)

FACTUAL BACKGROUND

Kim alleged that after his November 18, 2023 arrest he was held in Los Angeles County Sheriff's Department facilities as a pretrial detainee and received inadequate care for a serious back condition. He claimed that jail staff ignored requests for medical care, denied him bedding and showers, and left him sleeping on a concrete floor for nearly three weeks. He also alleged interference with grievances and an attempted assault, but the complaint did not clearly identify the responsible individuals, explain the events, or connect the alleged conduct to a policy or custom of the County or Sheriff's Department.

PROCEDURAL HISTORY

Kim filed a § 1983 complaint against the Los Angeles County Sheriff's Department and Jailer Garcia, sued only in an official capacity, alleging inadequate medical care and other unconstitutional conditions while he was a pretrial detainee. The court conducted sua sponte screening and dismissed the complaint with leave to amend, giving Kim 21 days to file a First Amended Complaint, voluntarily dismiss the action, or stand on the original complaint.

DISPOSITION

dismissed

CASES CITED

- *Castro v. County of Los Angeles*, 833 F.3d 1060, 1067-68 (9th Cir. 2016), cert. denied, 580 U.S. 1099 (2017)
- *Lopez v. Smith*, 203 F.3d 1122, 1126-30 (9th Cir. 2000) (en banc)
- *Barren v. Harrington*, 152 F.3d 1193, 1194 (9th Cir. 1998), cert. denied, 525 U.S. 1154 (1999)
- *Calhoun v. Stahl*, 254 F.3d 845, 845 (9th Cir. 2001) (per curiam)
- *Rosati v. Igbino*, 791 F.3d 1037, 1039 (9th Cir. 2015)
- *Zixiang Li v. Kerry*, 710 F.3d 995, 998-99 (9th Cir. 2013)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555 & n.3 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 676, 678-79 (2009)
- *Byrd v. Phoenix Police Department*, 885 F.3d 639, 642 (9th Cir. 2018)
- *Keates v. Koile*, 883 F.3d 1228, 1242 (9th Cir. 2018)
- *Jackson v. Barnes*, 749 F.3d 755, 763 (9th Cir. 2014), cert. denied, 574 U.S. 1077 (2015)
- *Ghazali v. Moran*, 46 F.3d 52, 54 (9th Cir. 1995) (per curiam), cert. denied, 516 U.S. 838 (1995)
- *Chapman v. Pier 1 Imports (U.S.) Inc.*, 631 F.3d 939, 954 (9th Cir. 2011) (en banc)
- *West v. Atkins*, 487 U.S. 42, 48 (1988)
- *Monell v. Department of Social Services of City of New York*, 436 U.S. 658, 691 (1978)
- *OSU Student Alliance v. Ray*, 699 F.3d 1053, 1069 (9th Cir. 2012), cert. denied, 571 U.S. 819 (2013)
- *Harper v. City of Los Angeles*, 533 F.3d 1010, 1026 (9th Cir. 2008)
- *Leer v. Murphy*, 844 F.2d 628, 633 (9th Cir. 1988)
- *Lacey v. Maricopa County*, 693 F.3d 896, 915 (9th Cir. 2012) (en banc)
- *Dura Pharmaceuticals, Inc. v. Broudo*, 544 U.S. 336, 346 (2005)
- *Skaiff v. Meridien North America Beverly Hills, LLC*, 506 F.3d 832, 841 (9th Cir. 2007) (per curiam)
- *Jones v. Community Redevelopment Agency*, 733 F.2d 646, 649 (9th Cir. 1984)
- *Watson v. Carter*, 668 F.3d 1108, 1114-15 (9th Cir. 2012)
- *Brodheim v. Cry*, 584 F.3d 1262, 1269 (9th Cir. 2009)
- *Gomez v. Vernon*, 255 F.3d 1118, 1127 (9th Cir. 2001), cert. denied, 534 U.S. 1066 (2001)
- *Gordon v. County of Orange*, 888 F.3d 1118, 1125 (9th Cir. 2018), cert. denied, 586 U.S. 1069 (2019)

- Sandoval v. County of San Diego, 985 F.3d 657, 669 (9th Cir.), cert. denied, 142 S. Ct. 711 (2021)
- Kentucky v. Graham, 473 U.S. 159, 166 (1985)
- Hafer v. Melo, 502 U.S. 21, 25 (1991)
- City of Canton v. Harris, 489 U.S. 378, 385, 391-92 (1989)
- Van Ort v. Estate of Stanewich, 92 F.3d 831, 835 (9th Cir. 1996), cert. denied, 519 U.S. 1111 (1997)
- Garmon v. County of Los Angeles, 828 F.3d 837, 846 (9th Cir. 2016)

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