

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Renee Fellows v. Weaks, et al.

Fellows · No. 2:25-cv-00439-DAD-AC · Decided December 19, 2025

SUMMARY

The United States District Court for the Eastern District of California granted defendants’ unopposed motion to sever Renee Fellows’ Fourteenth Amendment excessive-use-of-force claim under 42 U.S.C. § 1983. The court directed the Clerk to open a new civil case for that claim, waived the new filing fee, terminated the specified defendants from the present action, and reset the initial scheduling conference.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Dale A. Drozd
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 19, 2025
DOCKET	2:25-cv-00439-DAD-AC
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved to sever claims under Federal Rule of Civil Procedure 21, and plaintiff filed a statement of non-opposition. The district court granted the motion to sever.
PRECEDENTIAL VALUE	Unpublished district court order; nonprecedential
PARTIES	Renee Fellows v. Weaks, Rowmano, Guerrero, Does 1-25

TOPICS

- joinder
- civil procedure
- section 1983
- fourteenth amendment

PRACTICE AREAS

- civil procedure
- civil rights
- constitutional law

QUESTIONS PRESENTED

1. Whether defendants' unopposed motion to sever plaintiff's Fourteenth Amendment excessive-use-of-force claim under Federal Rule of Civil Procedure 21 should be granted.

HOLDINGS

1. The court granted defendants' unopposed motion to sever plaintiff's first claim for excessive use of force under the Fourteenth Amendment and 42 U.S.C. § 1983 from the action.

KEY QUOTATIONS

“In light of plaintiff’s statement of non-opposition, the court will grant defendants’ motion.” (at 1)

FACTUAL BACKGROUND

The action included plaintiff's claim that defendants Weaks, Rowmano, Guerrero, and Does 1-25 used excessive force in violation of the Fourteenth Amendment and 42 U.S.C. § 1983. Defendants sought severance of that claim, and plaintiff did not oppose the motion.

PROCEDURAL HISTORY

Defendants filed a motion to sever on June 5, 2025. Plaintiff filed a statement of non-opposition on June 19, 2025. The court granted the motion, severed plaintiff's Fourteenth Amendment excessive-use-of-force claim under 42 U.S.C. § 1983, dismissed the affected defendants from the original action, waived the filing fee for the newly opened case under Rule 21, and reset the initial scheduling conference.

DISPOSITION

other

CASES CITED

- San Francisco Tech., Inc. v. Aero Prods. Int'l, Inc., No. 5:10-cv-02994-JF-PSG, 2011 WL 1044856, at *5 (N.D. Cal. Mar. 22, 2011)
- Faria v. Dollar Tree Stores, Inc., No. 17-cv-07544-JAK-JEM, 2018 WL 6262880, at *3 (C.D. Cal. Feb. 15, 2018)