

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Price v. Noone

No. 2:24-cv-2756-JDP (P), United States District Court for the Eastern District of California (May 5, 2025)

SUMMARY

The United States District Court for the Eastern District of California screened Eugene Leon Price’s pro se 42 U.S.C. § 1983 complaint against thirty-three defendants. The court found that the complaint failed to state claims against thirty-two defendants but stated a potentially cognizable Eighth Amendment excessive-force claim against Jacobs based on an alleged humiliating strip search. The court ordered Price to either proceed solely against Jacobs or file an amended complaint within thirty days.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 5, 2025
DOCKET	2:24-cv-2756-JDP (P)
DISPOSITION	other
PROCEDURAL POSTURE	Screening order in a prisoner civil-rights action brought under 42 U.S.C. § 1983.
STANDARD OF REVIEW	Mandatory screening under 28 U.S.C. § 1915(e), with dismissal of claims that are frivolous, malicious, fail to state a claim, or seek relief from an immune defendant; pleading sufficiency was evaluated under Federal Rule of Civil Procedure 8 and the Twombly/Iqbal plausibility standard, with liberal construction of the pro se complaint.
PRECEDENTIAL VALUE	unpublished
PARTIES	Eugene Leon Price v. D. Noone, et al.

TOPICS

- prisoners rights
- section 1983
- cruel and unusual punishment
- pleadings
- civil procedure

PRACTICE AREAS

civil rights

constitutional law

prisoner litigation

civil procedure

QUESTIONS PRESENTED

1. Whether the complaint stated cognizable constitutional claims against the named defendants under § 1983.
2. Whether the allegations concerning excessive noise stated an Eighth Amendment conditions-of-confinement claim.
3. Whether the allegations against Watkins, Dr. L, and an unnamed official stated constitutional claims.
4. Whether the allegations against Johnson and Abernathy sufficiently stated a First Amendment retaliation claim.
5. Whether the allegations that Jacobs stripped plaintiff naked for two hours as punishment stated a potentially cognizable Eighth Amendment excessive-force claim.

HOLDINGS

1. A complaint subject to screening under 28 U.S.C. § 1915(e) must identify cognizable claims and must be dismissed in whole or in part when it is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant; it must also satisfy Rule 8 and plausibly state an entitlement to relief.
2. An Eighth Amendment conditions-of-confinement claim requires allegations that the plaintiff was deprived of the minimal civilized measure of life's necessities and that the defendant acted with deliberate indifference; although the alleged noise could satisfy the deprivation component, plaintiff failed to allege how any named defendant was involved.
3. The allegations that Watkins refused to discuss a rule-violation report, that Dr. L shared information with other officials, and that an unnamed official removed grievance paperwork did not state cognizable constitutional claims.
4. A prisoner retaliation claim requires allegations that a state actor took adverse action because of protected conduct, the action chilled the inmate's exercise of First Amendment rights, and the action did not reasonably advance a legitimate correctional goal; plaintiff failed to sufficiently allege these elements against Johnson and Abernathy.
5. For screening purposes, allegations that a prison staff member stripped a prisoner naked for two hours as punishment and without legitimate penological justification state a potentially cognizable Eighth Amendment claim based on degrading or humiliating sexual conduct.

KEY QUOTATIONS

“To sufficiently allege an Eighth Amendment conditions of confinement claim, a plaintiff must allege that he has been both deprived of the minimal civilized necessities of life and that the defendant acted with a deliberate indifference.” (at 3)

“Although not explicitly stated, plaintiff appears to bring a First Amendment retaliation claim against Johnson and Abernathy.” (at 4)

“Nevertheless, for the purposes of screening, plaintiff does appear allege a cognizable Eighth Amendment excessive force claim against Jacobs for degrading plaintiff in front of Sergeant Montoya, Neil, and female officers by stripping him naked for two hours as a form of punishment.” (at 5)

FACTUAL BACKGROUND

Price alleged that he was subjected to a low-frequency buzzing sound while housed in the Restricted Housing Unit at High Desert State Prison. He alleged that various prison officials failed to address a rule-violation report, shared information about anticipated litigation, removed grievance paperwork, retaliated against him by assigning an allegedly unfavorable calculation worksheet, and that Jacobs stripped him naked for two hours in front of other prison personnel as punishment. The court found the allegations insufficiently connected to most defendants but potentially sufficient to state an Eighth Amendment claim against Jacobs based on the alleged degrading strip search.

PROCEDURAL HISTORY

Plaintiff, a state prisoner proceeding pro se, filed an amended § 1983 complaint against thirty-three defendants alleging constitutional violations. On screening, the court found that the complaint failed to state cognizable claims against thirty-two defendants but potentially stated an Eighth Amendment excessive-force claim against Jacobs. The court gave plaintiff thirty days either to proceed solely on the claim against Jacobs or to file another amended complaint, and directed that no defendants be served unless plaintiff elected to proceed on the existing claim.

DISPOSITION

other

CASES CITED

- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Kobold v. Good Samaritan Reg'l Med. Ctr., 832 F.3d 1024, 1038 (9th Cir. 2016)
- Nagrampa v. MailCoups, Inc., 469 F.3d 1257, 1264 n.2 (9th Cir. 2006) (en banc)
- Haines v. Kerner, 404 U.S. 519, 520 (1972) (per curiam)
- Hayes v. Idaho Corr. Ctr., 849 F.3d 1204, 1208 (9th Cir. 2017)
- Bruns v. Nat'l Credit Union Admin., 122 F.3d 1251, 1257 (9th Cir. 1997)
- Ivey v. Bd. of Regents, 673 F.2d 266, 268 (9th Cir. 1982)
- Allen v. Sakai, 48 F.3d 1082, 1087 (9th Cir. 1995)
- Rico v. Ducart, 980 F.3d 1292, 1298 (9th Cir. 2020)

- Keenan v. Hall, 83 F.3d 1083, 1090 (9th Cir. 1996), amended on denial of reh'g, 135 F.3d 1318 (9th Cir. 1998)
- Lewis v. Hetzel, No. C20-5114-RBL-TLF, 2020 WL 4739618, at *1-3 (W.D. Wash. July 21, 2020)
- Rhodes v. Robinson, 408 F.3d 559, 567-68 (9th Cir. 2005)
- Bearchild v. Cobban, 947 F.3d 1130, 1144 (9th Cir. 2020)
- Lacey v. Maricopa Cnty., 693 F.3d 896, 907 n.1 (9th Cir. 2012) (en banc)

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