

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Scott Martin Jr. v. Washoe County Sheriff's Office, et al.

Martin · No. 3:25-cv-00361-ART-CLB · Decided January 13, 2026

SUMMARY

The United States District Court for the District of Nevada adopts the magistrate judge’s Report and Recommendation and dismisses Scott Martin Jr.’s second amended 42 U.S.C. § 1983 complaint. Claims against the Reno Police Department and Washoe County Sheriff’s Office are dismissed without prejudice and without leave to amend, while claims against the Washoe County District Attorney’s Office are dismissed with prejudice; the case is closed.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                              |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of Nevada                                                                                                                                                                                                                                                                      |
| WRITING FOR THE COURT | Anne R. Traum                                                                                                                                                                                                                                                                                                                |
| JURISDICTION          | United States District Court for the District of Nevada                                                                                                                                                                                                                                                                      |
| DECIDED               | January 13, 2026                                                                                                                                                                                                                                                                                                             |
| DOCKET                | 3:25-cv-00361-ART-CLB                                                                                                                                                                                                                                                                                                        |
| DISPOSITION           | dismissed                                                                                                                                                                                                                                                                                                                    |
| PROCEDURAL POSTURE    | Order adopting a magistrate judge's report and recommendation and dismissing a pro se second amended complaint asserting claims under 42 U.S.C. § 1983.                                                                                                                                                                      |
| STANDARD OF REVIEW    | Under 28 U.S.C. § 636(b)(1), timely objections to a magistrate judge's report and recommendation receive de novo review; issues not objected to need not be reviewed. Because Martin filed no objection and his objection period expired, the court adopted the report and recommendation without conducting further review. |
| PRECEDENTIAL VALUE    | nonprecedential                                                                                                                                                                                                                                                                                                              |

TOPICS

- section 1983
- civil rights
- government liability
- pleadings
- civil procedure

PRACTICE AREAS

- civil rights
- constitutional law
- civil procedure

## QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's report and recommendation when the plaintiff filed no objection.
2. Whether the second amended complaint adequately pleaded § 1983 claims for Monell municipal liability, false arrest, and cruel and unusual punishment against the named defendants.
3. Whether claims against the Washoe County District Attorney's Office were barred by absolute prosecutorial immunity.
4. Whether dismissal should be with prejudice or without leave to amend after the plaintiff repeatedly failed to cure deficiencies identified by the court.

## HOLDINGS

1. When a party does not timely object to a magistrate judge's report and recommendation, the district court is not required to conduct review of issues not subject to objection and may adopt the recommendation.
2. The second amended complaint failed to state essential elements of claims for Monell liability, false arrest, and cruel and unusual punishment against the named governmental defendants, warranting dismissal.
3. The claims against the Washoe County District Attorney's Office were dismissed with prejudice because prosecutorial functions are protected by absolute immunity.
4. Dismissal without leave to amend was appropriate as to the Reno Police Department and Washoe County Sheriff's Office after repeated failure to cure deficiencies identified by the court.

## KEY QUOTATIONS

*“It is therefore ordered that the Second Amended Complaint (ECF No. 12), as to Defendants Reno Police Department and Washoe County Sheriff's Office be DISMISSED without prejudice and without leave to amend.” (at 3)*

*“It is further ordered that the Second Amended Complaint (ECF No. 12) as to Defendant Washoe County District Attorney's Office be DISMISSED with prejudice.” (at 3)*

## FACTUAL BACKGROUND

Martin alleged that he was falsely arrested and imprisoned and subjected to cruel and unusual punishment following an arrest for battery on a pregnant person sometime between 2022 and 2023. He sued the Washoe County Sheriff's Office, Washoe County District Attorney's Office, Second Judicial Courthouse, and Reno Police Department under 42 U.S.C. § 1983. The court found that his second amended complaint continued to repeat previously identified pleading deficiencies concerning Monell liability and his false-arrest and punishment claims.

## PROCEDURAL HISTORY

Martin filed an in forma pauperis civil-rights action against the Washoe County Sheriff's Office, the Washoe County District Attorney's Office, and the Reno Police Department. The court screened the original complaint

and dismissed it without prejudice with leave to amend for failing to adequately plead Monell liability, false arrest, and false imprisonment. After the first amended complaint repeated the deficiencies, the court again recommended dismissal with leave to amend. Martin then filed a second amended complaint, to which he filed no objection; Magistrate Judge Carla L. Baldwin recommended dismissal, and the district court adopted the recommendation in full.

## DISPOSITION

dismissed

## CASES CITED

- Thomas v. Arn, 474 U.S. 140, 149 (1985)

## INSTRUCTIONS FOR AN AI ASSISTANT

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