

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Marcell Jones v. B. Brownen, et al.

Brownen · No. 2:22-cv-01707 DC SCR P · Decided January 14, 2026

SUMMARY

The United States District Court for the Eastern District of California resolves a discovery dispute in a 42 U.S.C. § 1983 action concerning plaintiff’s access to ten staff complaints. Following in camera review, the court permits withholding one complaint on third-party privacy grounds and another as irrelevant, requires specified redactions, and orders supervised review of the remaining eight complaints. The court also lifts the stay of the dispositive-motion deadline and sets May 13, 2026, as the filing deadline.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	January 14, 2026
DOCKET	2:22-cv-01707 DC SCR P
DISPOSITION	other
PROCEDURAL POSTURE	In a prisoner civil-rights action under 42 U.S.C. § 1983, the court resolved a discovery dispute concerning plaintiff's requests for production of staff complaints and defendants' assertions of third-party privacy and official-information privilege after an in camera review.
STANDARD OF REVIEW	The court balanced the requesting party's need for discovery against asserted third-party privacy and official-information interests, including whether redaction or other protective measures adequately protected those interests.
PRECEDENTIAL VALUE	Unknown; district-court discovery order
PARTIES	Marcell Jones v. B. Brownen, et al.

TOPICS

- discovery dispute
- privilege
- civil rights
- section 1983
- evidence

PRACTICE AREAS

Civil procedure

Civil rights

Prisoner litigation

Discovery

QUESTIONS PRESENTED

1. Whether third-party privacy interests justified withholding or redacting particular staff-complaint files and mental-health information.
2. Whether the official-information privilege justified withholding the responsive staff-complaint files from discovery.
3. What protective measures and manner of access were appropriate for the materials ordered disclosed.

HOLDINGS

1. Third-party privacy interests outweighed disclosure of the documents pertaining to Log No. 531340 because the file primarily contained sensitive mental-health diagnoses and treatment information that could not be meaningfully redacted and had little relevance to plaintiff's claims.
2. The mental-health-assessment portion of the RVR in Log No. 30385 had to be redacted, while the remainder of the file could be disclosed subject to appropriate redactions.
3. Defendants could withhold the entirety of Log No. 149087 because the complaint concerned alleged unprofessional conduct and profanity, which were outside the scope of plaintiff's retaliation claim based on an allegedly false RVR.
4. The official-information privilege did not justify withholding the remaining responsive complaint files after in camera review, because the files did not contain sufficiently sensitive information to overcome the policy favoring disclosure in civil-rights actions and protective redactions were adequate.
5. The disclosed complaint files had to be made available for plaintiff's supervised review, with redaction of complainants', witnesses', and other involved incarcerated persons' names; plaintiff could not retain possession of the files but had to receive additional reasonable review opportunities during the litigation.

KEY QUOTATIONS

“The official information privilege is subject to the competing interests of the requesting party and is “subject to disclosure especially where protective measures are taken.”” (at 3)

“Overall, none of the ten complaints resulted in discipline against either defendant.” (at 3)

FACTUAL BACKGROUND

Plaintiff, an incarcerated pro se litigant proceeding in forma pauperis, brought claims involving alleged retaliation and due-process violations. He requested grievances and investigative files concerning similar incidents involving defendants. Defendants asserted third-party inmate privacy and official-information privilege, and submitted ten responsive staff-complaint files for in camera review.

PROCEDURAL HISTORY

Plaintiff sought staff complaints responsive to RFPs Nos. 1, 3, and 4. In a prior order, the court found that defendants had provided a sufficient foundation to invoke the official-information privilege and ordered defendants to submit the responsive documents for in camera review. After reviewing the ten complaint files, the court determined which materials could be withheld, which required redaction, and which had to be made available for plaintiff's supervised review.

DISPOSITION

other

CASES CITED

- Norman-Bloodsaw v. Lawrence Berkeley Lab., 135 F.3d 1260, 1269 (9th Cir. 1998)
- Harris v. Kyle, No. 1:19-cv-0462 DAD EPG PC, 2021 WL 195477, at *2 (E.D. Cal. Jan. 20, 2021)
- Allen v. Woodford, No. CV-F-05-1104 OW LJO, 2007 WL 309485, at *5 (E.D. Cal. Jan. 30, 2007)
- Soto v. City of Concord, 162 F.R.D. 603, 616 (N.D. Cal. 1995)
- Miller v. Pancucci, 141 F.R.D. 292, 296, 301 (C.D. Cal. 1992)
- Bartolome v. City & County of Honolulu, No. CIV. 06-0176 SOM LEK, 2008 WL 2736016, at *13 (D. Haw. July 14, 2008)
- Sanchez v. City of Santa Ana, 936 F.2d 1027, 1033-34 (9th Cir. 1991)
- Noble v. City of Fresno, No. 1:16-cv-1690 DAD BAM, 2017 WL 5665850, at *4 (E.D. Cal. Nov. 27, 2017)
- Kerr v. United States District Court for the Northern District of California, 511 F.2d 192, 198 (9th Cir. 1975)
- Bryant v. Armstrong, 285 F.R.D. 596, 604 (S.D. Cal. 2012)
- Ibanez v. Miller, No. CIV S-06-2668 JAM EFB P, 2009 WL 3481679 (E.D. Cal. Oct. 22, 2009)
- Wells v. Gonzales, No. 1:17-cv-1240 DAD EPG PC, 2019 WL 4054022, at *8 (E.D. Cal. Aug. 28, 2019)
- Harris v. German, No. 1:15-cv-1462 DAD GSA PC, 2019 WL 4640503, at *8 (E.D. Cal. Sept. 24, 2019)
- United States v. W.R. Grace, 526 F.3d 499, 516 (9th Cir. 2008)

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