

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Allan Fletcher v. Roxanne Gonzalez

Fletcher v. Gonzalez, No. 2:23-cv-0229-DMC-P (E.D. Cal. Mar. 21, 2025) · No. 2:23-cv-0229-DMC-P ·
Decided March 21, 2025

SUMMARY

The document contains findings and recommendations by a magistrate judge in a 42 U.S.C. § 1983 action brought by Allan Fletcher against federal court clerk employee Roxanne Gonzalez. The court recommends granting the defendant’s unopposed motion to dismiss because § 1983 does not apply to federal officials and court personnel are protected by judicial immunity for acts integral to the judicial process. The recommended disposition is dismissal with prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Dennis M. Cota
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 21, 2025
DOCKET	2:23-cv-0229-DMC-P
DISPOSITION	other
PROCEDURAL POSTURE	Findings and recommendations on an unopposed motion to dismiss a pro se civil-rights complaint under Federal Rule of Civil Procedure 12(b)(6).
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts material factual allegations as true, construes alleged facts in the plaintiff’s favor, and disregards legal conclusions unsupported by factual allegations. A complaint must contain sufficient factual matter to state a facially plausible claim for relief. Pro se pleadings are construed under a less stringent standard. Materials outside the complaint generally may not be considered, subject to recognized exceptions.
PRECEDENTIAL VALUE	unpublished, nonprecedential magistrate judge findings and recommendations
PARTIES	Allan Fletcher v. Roxanne Gonzalez

TOPICS

motions to dismiss

section 1983

civil rights

civil procedure

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether a federal court employee may be held liable under 42 U.S.C. § 1983 for alleged conduct not undertaken under color of state law.
2. Whether the complaint could state a § 1983 claim based solely on an alleged violation of state law.
3. Whether Gonzalez was entitled to judicial immunity as court personnel whose conduct was integral to the judicial process.
4. Whether the action should be dismissed with prejudice after Plaintiff failed to oppose the motion to dismiss.

HOLDINGS

1. The complaint cannot proceed under § 1983 against Gonzalez because she is alleged to be a federal official and the complaint does not allege conduct under color of state law.
2. An alleged violation of state law, without more, does not establish liability under 42 U.S.C. § 1983.
3. Judicial immunity extends to court clerks and other court personnel when they act as an integral part of the judicial process.

KEY QUOTATIONS

“In considering a motion to dismiss, the Court must accept all allegations of material fact in the complaint as true.” (at 1)

“A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” (at 2)

“It is RECOMMENDED that Defendant’s unopposed motion to dismiss, ECF No. 22, be granted and that this action be dismissed with prejudice.” (at 4)

FACTUAL BACKGROUND

Plaintiff is a civil detainee housed at Coalinga State Hospital. He alleged that Roxanne Gonzalez, identified as an Operations Supervisor in the Fresno Division Clerk's Office, illegally obtained a patient roster from the hospital in violation of state-law privacy protections. He sued Gonzalez in both her official and individual capacities under 42 U.S.C. § 1983.

PROCEDURAL HISTORY

Plaintiff filed a pro se complaint on October 18, 2021. The action was transferred from the Fresno Division to the Sacramento Division, the original complaint was dismissed with leave to amend, and Plaintiff filed a first amended complaint that was served on Defendant. Defendant moved to dismiss on December 20, 2024; Plaintiff filed no opposition. The magistrate judge recommended granting the motion and dismissing the action with prejudice, subject to review by an assigned district judge under 28 U.S.C. § 636(b)(1).

DISPOSITION

other

CASES CITED

- Erickson v. Pardus, 551 U.S. 89, 93-94 (2007)
- Scheuer v. Rhodes, 416 U.S. 232, 236 (1974)
- Hospital Building Co. v. Rex Hospital Trustees, 425 U.S. 738, 740 (1976)
- Barnett v. Centoni, 31 F.3d 813, 816 (9th Cir. 1994) (per curiam)
- Jenkins v. McKeithen, 395 U.S. 411, 421 (1969)
- Ashcroft v. Iqbal, 129 S. Ct. 1937, 1949-50 (2009)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555-57, 570 (2007)
- Conley v. Gibson, 355 U.S. 41, 47 (1957)
- Cooper v. Pickett, 137 F.3d 616, 622 (9th Cir. 1998)
- Branch v. Tunnell, 14 F.3d 449, 453-54 (9th Cir. 1994)
- Lee v. City of Los Angeles, 250 F.3d 668, 688 (9th Cir. 2001)
- Barron v. Reich, 13 F.3d 1370, 1377 (9th Cir. 1994)
- Lucas v. Department of Corrections, 66 F.3d 245, 248 (9th Cir. 1995) (per curiam)
- Lopez v. Smith, 203 F.3d 1122, 1126 (9th Cir. 2000) (en banc)
- Hollett v. Browning, 711 F. Supp. 1009, 1012 n.2 (E.D. Cal. 1988)
- Stonecipher v. Bray, 653 F.2d 398, 401 (9th Cir. 1981)
- Morse v. N. Coast Opportunities, Inc., 118 F.3d 1338, 1343 (9th Cir. 1997)
- Uptergrove v. United States, No. 1:08-cv-1800, 2009 WL 2244185, at *3 (E.D. Cal. July 27, 2009)
- Miller v. City of Scottsdale, 88 F.4th 800, 805 (9th Cir. 2023)
- Medrano v. City of Los Angeles, 973 F.2d 1499, 1505 (9th Cir. 1992)
- Schucker v. Rockwood, 846 F.2d 1202, 1204 (9th Cir. 1988) (per curiam)
- Mireles v. Waco, 502 U.S. 9, 11 (1991) (per curiam)
- Stump v. Sparkman, 435 U.S. 349, 356-57 (1978)
- Meek v. County of Riverside, 183 F.3d 962, 965 (9th Cir. 1999)
- Mullis v. U.S. Bankruptcy Court, 828 F.2d 1385, 1390 (9th Cir. 1987)

- Williams v. Department of State Hospitals-Coalinga, No. 2:23-cv-878, ECF 11, at 3 (E.D. Cal. Nov. 20, 2023), adopted, ECF 14, at 2 (E.D. Cal. Mar. 19, 2024)
- Roberson v. Department of State Hospitals-Coalinga, No. 2:23-cv-1095, ECF 10, at 3 (E.D. Cal. Oct. 10, 2023)
- Martinez v. Yist, 951 F.2d 1153 (9th Cir. 1991)

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