

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Christopher Eduardo Sanchez v. Felipe Fernandez, et al.

No. 2:25-cv-02445 CKD (PS) (E.D. Cal. Sept. 22, 2025) · No. 2:25-cv-02445 CKD (PS) · Decided September
24, 2025

OPINION

Sanchez

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 CHRISTOPHER EDUARDO SANCHEZ, No. 2:25-cv-02445 CKD (PS)

12 Plaintiff, 13 v. ORDER 14 FELIPE FERNANDEZ, et al., 15 Defendants. 16 Plaintiff brings
this civil rights action against the California Highway Patrol (CHP) and 17 one of its officers,
defendant Fernandez, alleging constitutional violations with respect to a 18 motorcycle accident in
which plaintiff was seriously injured. (ECF No. 1.) 19 Plaintiff is proceeding in this action pro se.
Plaintiff has requested authority pursuant to 20 28 U.S.C. § 1915 to proceed in forma pauperis.
(ECF No. 2.) This proceeding was referred to 21 this court by Local Rule 302(c)(21). 22 Plaintiff
has submitted the affidavit required by § 1915(a) showing that plaintiff is unable 23 to prepay fees
and costs or give security for them. Accordingly, the request to proceed in forma 24 pauperis will
be granted. 28 U.S.C. § 1915(a). 25 The federal in forma pauperis statute authorizes federal courts
to dismiss a case if the 26 action is legally “frivolous or malicious,” fails to state a claim upon
which relief may be granted, 27 or seeks monetary relief from a defendant who is immune from
such relief. 28 U.S.C. 28 1 § 1915(e)(2). Further, the federal court has an independent duty to
ensure it has subject matter 2 jurisdiction in the case. See *United Investors Life Ins. Co. v.*
Waddell & Reed Inc., 360 F.3d 960, 3 967 (9th Cir. 2004). 4 Pro se pleadings are to be liberally
construed. *Hebbe v. Pliler*, 627 F.3d 338, 342 & n.7 5 (9th Cir. 2010) (liberal construction
appropriate even post-*Iqbal*). Rule 8(a) requires that a 6 pleading be “(1) a short and plain
statement of the grounds for the court’s jurisdiction . . . ; (2) a 7 short and plain statement of the
claim showing that the pleader is entitled to relief; and (3) a 8 demand for the relief sought, which
may include relief in the alternative or different types of 9 relief.” Each allegation must be simple,
concise, and direct. Rule 8(d)(1); see *Swierkiewicz v. 10 Sorema N.A.*, 534 U.S. 506, 514 (2002)
(overruled on other grounds) (“Rule 8(a) is the starting 11 point of a simplified pleading system,
which was adopted to focus litigation on the merits of a 12 claim.”). 13 A complaint may be
dismissed under Rule 12(b)(6) for failure to state a claim. A 14 complaint fails to state a claim if it

either lacks a cognizable legal theory or sufficient facts to 15 allege a cognizable legal theory. *Mollett v. Netflix, Inc.*, 795 F.3d 1062, 1065 (9th Cir. 2015). 16 To avoid dismissal for failure to state a claim, a complaint must contain more than “naked 17 assertions,” “labels and conclusions,” or “a formulaic recitation of the elements of a cause of 18 action.” *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555-57 (2007). 19 Here, plaintiff alleges he was involved in a March 9, 2025 motorcycle accident on

20 Highway 99 and suffered life-threatening internal bleeding and multiple fractures. He alleges that

21 defendant Fernandez questioned him about the accident when he was in shock and unable to 22 provide “voluntary or coherent statements” and that this questioning delayed his transport to the 23 hospital by “three to five minutes, during which time Plaintiff’s internal bleeding continued and 24 his medical condition deteriorated.” (Cmplt, ¶ 18.) Plaintiff was transported to the hospital and 25 underwent emergency surgery. He alleges that the CHP report about the accident “contained 26 numerous false and misleading statements” and omitted that plaintiff “was unresponsive and 27 unable to communicate coherently” due to his injuries. (Id., ¶¶ 21, 22.) Plaintiff further alleges 28 that, in a response to a July 29, 2025, California Public Records Act (CPRA) request seeking all 1 records and digital evidence related to the accident, the CHP improperly withheld certain records 2 and did not comply with the Act’s requirements. 3 Plaintiff asserts federal constitutional claims pursuant to 42 U.S.C. § 1983. He claims that 4 defendant Fernandez violated his Fourth Amendment right against unreasonable seizure, his 5 Eighth Amendment protection against deliberate indifference to serious medical needs, and his 6 Fourteenth Amendment due process rights. Plaintiff claims that defendant CHP is liable for 7 inadequate training and supervision and violation of the CPRA, and that both defendants violated 8 California civil rights law. For purposes of screening, the court finds that plaintiff has stated 9 cognizable claims. 10 Accordingly, IT IS HEREBY ORDERED that: 11 1. Plaintiff’s application to proceed in forma pauperis (ECF No. 2) is GRANTED; 12 2. Service is appropriate on defendant CHP Officer Felipe Fernandez, Badge #021241 13 and the California Highway Patrol. 14 3. The United States Marshal is directed to serve within ninety days of the date of this 15 order, all process pursuant to Fed. R. Civ. P. 4(i), including a copy of this court’s order 16 setting status conference, without prepayment of costs. 17 4. The Clerk of the Court shall send plaintiff one USM-285 form for each defendant, one 18 summons, a copy of the complaint, and this court’s order setting status conference. 19 5. Plaintiff is directed to provide to the United States Marshal (501 I St., 5th Floor, 20 Sacramento, CA 95814), within fourteen days from the date this order is filed, all 21 information needed by the Marshal to effect service of process, including all 22 information required for proper service of summons under Federal Rule of Civil

23 Procedure 4 and shall file a statement with the court that said documents have been 24 submitted to the United States Marshal, along with a copy of the information provided 25 to the Marshal. The court anticipates that, to effect service, the U.S. Marshal will 26 require at least:

27 a. One completed summons for each defendant; 28 b. One completed USM-285 form for each defendant;] c. One copy of the endorsed filed complaint for each defendant, with an extra 2 copy for the U.S. Marshal; 3 d. One copy of the instant order for each defendant. 4 6. Inthe event the U.S. Marshal is unable, for any reason whatsoever, to effectuate 5 service on any defendant within 90 days from the date of this order, the Marshal is 6 directed to report that fact, and the reasons for it, to the undersigned. 7 7. The Clerk of the Court is directed to serve a copy of this order on the United States 8 Marshal, 501 "I" Street, Sacramento, Ca., 95814, Tel. No. (916) 930-2030. 9 Dated: September 22, 2025 / a8 } i | / p , {a ce
11 UNITED STATES MAGISTRATE JUDGE
12 13 14 15 16 || 2/sanc2445.ifp-serve 17 18 19 20 21 22 23 24 25 26 27 28