

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Anthony W. Garcia v. Jeff Macomber, et al.

Garcia v. Macomber · No. 1:25-cv-00027-SAB (PC) · Decided August 28, 2025

SUMMARY

The United States District Court for the Eastern District of California screens Anthony W. Garcia’s second amended 42 U.S.C. § 1983 complaint. The court finds that Garcia plausibly alleges an Eighth Amendment deliberate-indifference-to-safety claim against Jeff Macomber, Ron Broomfield, and John/Jane Does 1 through 8, but fails to state a First Amendment retaliation claim. The magistrate judge recommends dismissal of the retaliation claim without further leave to amend and directs random assignment of a district judge.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Stanley A. Boone
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	August 28, 2025
DOCKET	1:25-cv-00027-SAB (PC)
DISPOSITION	other
PROCEDURAL POSTURE	A pro se prisoner proceeding in forma pauperis filed a second amended complaint under 42 U.S.C. § 1983. On statutory screening, the magistrate judge recommended that the deliberate-indifference claim proceed and that the retaliation claim be dismissed without further leave to amend; the findings and recommendations were submitted to an assigned district judge for review.
STANDARD OF REVIEW	Statutory screening under 28 U.S.C. §§ 1915A and 1915(e)(2)(B), applying the Rule 8 pleading standard and the plausibility standard under Ashcroft v. Iqbal and Bell Atlantic Corp. v. Twombly. The complaint's factual allegations were accepted as true for screening purposes and liberally construed because Plaintiff proceeded pro se.
PRECEDENTIAL VALUE	Nonprecedential magistrate judge findings and recommendations; subject to review and possible adoption by a district judge.

TOPICS

prisoners rights

section 1983

cruel and unusual punishment

first amendment

civil procedure

PRACTICE AREAS

prisoner civil rights

constitutional law

federal civil procedure

QUESTIONS PRESENTED

1. Whether Plaintiff plausibly stated an Eighth Amendment deliberate-indifference-to-safety claim against the identified prison officials and Doe defendants.
2. Whether Plaintiff plausibly stated a First Amendment retaliation claim based on his transfer and housing on B-yard.
3. Whether further leave to amend the retaliation claim was warranted.

HOLDINGS

1. At the pleading stage, allegations that prison officials knew of a substantial risk of serious harm and nevertheless approved or ordered Plaintiff, a member of the STG-Bulldogs, to enter a yard housing rival gang members were sufficient to state a plausible deliberate-indifference claim.
2. Plaintiff failed to state a cognizable First Amendment retaliation claim because he did not allege facts showing that any Defendant knew of protected conduct or that the protected conduct was the but-for cause of his transfer and housing assignment.
3. Further leave to amend the retaliation claim was not warranted after Plaintiff had been provided the applicable legal standards and remained unable to state a claim.

KEY QUOTATIONS

“[P]rison officials have a duty ... to protect prisoners from violence at the hands of other prisoners.”
(Discussion III.A)

“There are five elements to a First Amendment claim in the prison context: “(1) [a]n assertion that a state actor took some adverse action against an inmate (2) because of (3) that prisoner’s protected conduct, and that such action (4) chilled the inmate’s exercise of his First Amendment rights, and (5) the action did not reasonably advance a legitimate correctional goal.”” (Discussion III.B)

FACTUAL BACKGROUND

Plaintiff, a prisoner classified as a member of the STG-Bulldogs, alleged that rival gang members had issued a green light authorizing violence against Bulldogs and that prison officials had prior notice of the threat. He alleged that officials transferred him to SATF-Corcoran, housed him on B-yard with rival gang members, and ordered or permitted him to enter the yard despite knowing that an assault was likely; Plaintiff was then stabbed during a riot. He also alleged that the transfer and housing decision were retaliation for his grievances, litigation, and refusal to program on a non-designated program facility with rival gang members.

PROCEDURAL HISTORY

Plaintiff filed this prisoner civil-rights action and a second amended complaint on July 25, 2025. The court screened the complaint under 28 U.S.C. §§ 1915A and 1915(e)(2)(B). The magistrate judge recommended allowing the Eighth Amendment deliberate-indifference claim to proceed against Jeff Macomber, Ron Broomfield, and John/Jane Does 1 through 8, while dismissing the retaliation claim for failure to state a cognizable claim and denying further leave to amend.

DISPOSITION

other

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)
- Jones v. Williams, 297 F.3d 930, 934 (9th Cir. 2002)
- Wilhelm v. Rotman, 680 F.3d 1113, 1121 (9th Cir. 2012)
- Moss v. U.S. Secret Service, 572 F.3d 962, 969 (9th Cir. 2009)
- Farmer v. Brennan, 511 U.S. 825, 833-34 (1994)
- Rish v. Johnson, 131 F.3d 1092, 1096 (9th Cir. 1997)
- Williams v. Wood, 223 Fed. Appx. 670, 671 (9th Cir. 2007)
- Bruce v. Ylst, 351 F.3d 1283, 1288 (9th Cir. 2003)
- Rhodes v. Robinson, 408 F.3d 559, 567-68 (9th Cir. 2005)
- Brodheim v. Cry, 584 F.3d 1262, 1271 (9th Cir. 2009)
- Soranno's Gasco, Inc. v. Morgan, 874 F.2d 1310, 1314 (9th Cir. 1989)
- Capp v. County of San Diego, 940 F.3d 1046, 1053 (9th Cir. 2019)
- Crawford-El v. Britton, 523 U.S. 574, 593 (1998)
- Hartman v. Moore, 547 U.S. 250, 260 (2006)
- Huskey v. City of San Jose, 204 F.3d 893, 899 (9th Cir. 2000)
- Lopez v. Smith, 203 F.3d 1122, 1130 (9th Cir. 2000)
- Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)
- Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)