

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

Raul Uvalles v. Kevin Rueter, et al.

Uvalles v. Rueter · No. 2:23-cv-0160 DJC AC P · Decided March 17, 2025

SUMMARY

The United States District Court for the Eastern District of California screened Raul Uvalles’s first amended prisoner civil-rights complaint against medical and corrections personnel. The court concluded that the complaint failed to state claims under § 1983, the First and Fourteenth Amendments, the Eighth Amendment, the ADA, the Rehabilitation Act, and state law, and denied the motion for appointment of counsel. Plaintiff was granted thirty days to file a second amended complaint addressing the identified deficiencies.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of California                                                                                                                                                                                                                                                                                                                                          |
| WRITING FOR THE COURT | Allison Claire                                                                                                                                                                                                                                                                                                                                                                                               |
| JURISDICTION          | United States District Court for the Eastern District of California                                                                                                                                                                                                                                                                                                                                          |
| DECIDED               | March 17, 2025                                                                                                                                                                                                                                                                                                                                                                                               |
| DOCKET                | 2:23-cv-0160 DJC AC P                                                                                                                                                                                                                                                                                                                                                                                        |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                                                                                        |
| PROCEDURAL POSTURE    | A state prisoner proceeding pro se filed a first amended complaint under 42 U.S.C. § 1983, the Americans with Disabilities Act, the Rehabilitation Act, and state tort law. The court screened the amended complaint under 28 U.S.C. § 1915A, denied plaintiff’s motion for appointment of counsel, found that the complaint failed to state a claim, declined to order service, and granted leave to amend. |
| STANDARD OF REVIEW    | Under 28 U.S.C. § 1915A, the court screened the prisoner complaint and assessed whether it stated a legally cognizable claim. In evaluating the pleading, the court accepted factual allegations as true and construed them in the light most favorable to plaintiff, while requiring more than conclusory allegations and sufficient factual matter to make each claim facially plausible.                  |
| PRECEDENTIAL VALUE    | unknown                                                                                                                                                                                                                                                                                                                                                                                                      |
|                       |                                                                                                                                                                                                                                                                                                                                                                                                              |

## PARTIES

Raul Uvalles v. Kevin Rueter, Patel, Gates, Awatani, Ahmad, Onyeje, Felder, Doe defendants 1-7

## TOPICS

prisoners rights

section 1983

ada / disability

pleadings

civil procedure

## PRACTICE AREAS

prisoner civil rights

constitutional law

disability discrimination

civil procedure

government claims

## QUESTIONS PRESENTED

1. Whether the first amended complaint stated a cognizable claim under 42 U.S.C. § 1983 for deliberate indifference to serious medical needs.
2. Whether the complaint stated a First Amendment claim based on prison grievance handling.
3. Whether the complaint stated a Fourteenth Amendment equal-protection claim.
4. Whether the complaint stated claims under Title II of the ADA and the Rehabilitation Act.
5. Whether the complaint stated state-law claims without alleging compliance with California's Government Claims Act.
6. Whether plaintiff demonstrated exceptional circumstances warranting appointment of counsel.

## HOLDINGS

1. The complaint failed to state a deliberate-indifference claim because it did not sufficiently allege a serious medical need, deliberate indifference by each defendant, or resulting harm; allegations showing only a difference of opinion regarding treatment were insufficient.
2. The complaint failed to state a First Amendment claim because plaintiff alleged no prevention of grievance filing and had no constitutional right to receive a particular response to a grievance.
3. The complaint failed to state a Fourteenth Amendment equal-protection claim because it alleged neither discrimination based on membership in a protected class nor intentional disparate treatment of similarly situated prisoners without a rational relationship to a legitimate governmental purpose.
4. The complaint failed to state ADA and Rehabilitation Act claims because it did not adequately allege that plaintiff had a disability or that he was excluded from, denied the benefits of, or discriminated against in a public program or service because of that disability.
5. The state-law claims were inadequately pleaded because plaintiff did not allege compliance with California's Government Claims Act.
6. The motion for appointment of counsel was denied because plaintiff did not demonstrate exceptional circumstances, including a likelihood of success on the merits and inability to articulate his claims in light of their complexity.

## KEY QUOTATIONS

*“Plaintiff has a right under the First Amendment to file grievance, not to receive a specific response to those grievances.”* (at 14-15)

*“The ADA prohibits discrimination because of disability, not inadequate treatment for disability.”*  
(Attachment A at E)

*“Plaintiff’s complaint fails to state a claim upon which relief may be granted, see 28 U.S.C. § 1915A, and will not be served.”* (Conclusion at 21-28)

## FACTUAL BACKGROUND

Plaintiff, a state inmate, alleged that prison medical personnel failed to follow outside consultation orders concerning foot surgery, pain management, and treatment for neck and spine conditions, and allowed or caused transfers that disrupted his care. He also alleged interference with grievances, unequal treatment, disability-based exclusion from programs, improper mental-health placement, and state-law tort violations. The court found the allegations insufficiently clear to establish a serious medical need, deliberate indifference, disability discrimination, equal-protection violation, or compliance with California's Government Claims Act.

## PROCEDURAL HISTORY

The original complaint was screened and found not to state a claim, after which plaintiff was granted an opportunity to amend. Plaintiff filed a first amended complaint and moved for appointment of counsel. The court denied counsel, determined that the amended complaint did not state cognizable claims, and allowed plaintiff thirty days to file a second amended complaint, warning that failure to do so would result in a recommendation of dismissal under Federal Rule of Civil Procedure 41(b).

## DISPOSITION

other

## CASES CITED

- Neitzke v. Williams, 490 U.S. 319, 325, 327 (1989)
- Jackson v. Arizona, 885 F.2d 639, 640 (9th Cir. 1989)
- Lopez v. Smith, 203 F.3d 1122, 1130-32 (9th Cir. 2000)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 557, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 677-78 (2009)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007) (per curiam)
- Jenkins v. McKeithen, 395 U.S. 411, 421 (1969)
- Rizzo v. Goode, 423 U.S. 362, 370-71 (1976)
- Arnold v. International Business Machines Corp., 637 F.2d 1350, 1355 (9th Cir. 1981)
- Johnson v. Duffy, 588 F.2d 740, 743 (9th Cir. 1978)
- Ivey v. Board of Regents, 673 F.2d 266, 268 (9th Cir. 1982)
- Loux v. Rhay, 375 F.2d 55, 57 (9th Cir. 1967)

- *Mallard v. United States District Court*, 490 U.S. 296, 298 (1989)
- *Wood v. Housewright*, 900 F.2d 1332, 1335-36 (9th Cir. 1990)
- *Estelle v. Gamble*, 429 U.S. 97, 104-06 (1976)
- *Hallett v. Morgan*, 296 F.3d 732, 744-46 (9th Cir. 2002)
- *McGuckin v. Smith*, 974 F.2d 1050, 1059-60 (9th Cir. 1992)
- *WMX Technologies, Inc. v. Miller*, 104 F.3d 1133 (9th Cir. 1997) (en banc)
- *Farmer v. Brennan*, 511 U.S. 825, 837, 839 (1994)
- *Frost v. Agnos*, 152 F.3d 1124, 1130 (9th Cir. 1998)
- *Sanchez v. Vild*, 891 F.2d 240, 242 (9th Cir. 1989)
- *Shapley v. Nevada Board of State Prison Commissioners*, 766 F.2d 404, 407 (9th Cir. 1985)
- *City of Cleburne v. Cleburne Living Center*, 473 U.S. 432, 439 (1985)
- *Serrano v. Francis*, 345 F.3d 1071, 1082 (9th Cir. 2003)
- *Barren v. Harrington*, 152 F.3d 1193, 1194 (9th Cir. 1998)
- *Village of Willowbrook v. Olech*, 528 U.S. 562, 564 (2000)
- *Pennsylvania Department of Corrections v. Yeskey*, 524 U.S. 206 (1998)
- *O'Guinn v. Lovelock Correctional Center*, 502 F.3d 1056, 1060 (9th Cir. 2007)
- *Thompson v. Davis*, 295 F.3d 890, 895 (9th Cir. 2002)
- *Duvall v. County of Kitsap*, 260 F.3d 1124 (9th Cir. 2001)
- *Zukle v. Regents of the University of California*, 166 F.3d 1041, 1045 n.11 (9th Cir. 1999)
- *Lovell v. Chandler*, 303 F.3d 1039, 1052 (9th Cir. 2002)
- *Gable v. Washington Correctional Center for Women*, 857 F. App'x 918, 919 (9th Cir. 2021)
- *Garcia v. S.U.N.Y. Health Sciences Center of Brooklyn*, 280 F.3d 98, 107 (2d Cir. 2002)
- *A.W. v. Jersey City Public Schools*, 486 F.3d 791, 804 (3d Cir. 2007)
- *State v. Superior Court (Bodde)*, 32 Cal. 4th 1234, 1240 (2004)
- *Mosier v. California Department of Corrections & Rehabilitation*, 2012 WL 2577524, at \*3, 2012 U.S. Dist. LEXIS 92286, at \*8-9 (E.D. Cal. July 2, 2012)
- *Robinett v. Correctional Training Facility*, 2010 WL 2867696, at \*4, 2010 U.S. Dist. LEXIS 76327, at \*12-13 (N.D. Cal. July 20, 2010)
- *Will v. Michigan Department of State Police*, 491 U.S. 58, 71 & n.10 (1989)