

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

H.L., D.L.1, Cleavotta Morgan, and David Morgan v. County of Los
Angeles, Kazeem Abass, Nchegem Orji, Salma Zubair

H.L. v. County of Los Angeles · No. 2:25-cv-05642-ODW (SKx) · Decided January 20, 2026

SUMMARY

The United States District Court for the Central District of California partially grants defendants’ motion to dismiss claims arising from Daejon Morgan’s overdose death while in custody at Twin Towers Correctional Facility. The court allows claims concerning deliberate indifference to dangerous jail conditions and certain Monell theories involving failure to prevent drug proliferation, but dismisses or limits claims concerning medical care, medical-staff training, and several alleged municipal policies.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Otis D. Wright, II
JURISDICTION	United States District Court for the Central District of California
DECIDED	January 20, 2026
DOCKET	2:25-cv-05642-ODW (SKx)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs brought constitutional and state-law claims arising from Daejon Morgan's overdose death while in Los Angeles County custody. Defendants moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss the First Amended Complaint. The court granted the motion in part and denied it in part, allowing some claims to proceed and permitting amendment of others.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true and construes them in the light most favorable to the plaintiff, but need not accept conclusory allegations, unwarranted deductions, or unreasonable inferences. The complaint must contain enough factual matter to state a plausible claim for relief.
PRECEDENTIAL VALUE	unpublished_or_nonprecedential

PARTIES

H.L., D.L.1, Cleavotta Morgan, David Morgan v. County of Los Angeles, Kazeem Abass, Nchegem Orji, Salma Zubair, Doe Defendants

TOPICS

section 1983

municipal liability

motions to dismiss

substantive due process

civil rights

PRACTICE AREAS

civil rights

constitutional law

municipal liability

civil procedure

torts

health law

QUESTIONS PRESENTED

1. Whether the complaint plausibly alleged deliberate indifference to dangerous conditions of confinement based on the alleged proliferation and smuggling of dangerous drugs in County jails.
2. Whether the complaint plausibly alleged deliberate indifference to Morgan's medical needs against the individual medical defendants.
3. Whether the complaint plausibly alleged Monell liability against the County for failure to train, unconstitutional policies or customs, and ratification.
4. Whether the complaint plausibly alleged a Fourteenth Amendment claim for interference with familial relations.
5. Whether California law barred the negligence claim against the County.
6. Whether the complaint stated a claim under the California Bane Act.
7. Whether California Government Code section 845.6 permitted the failure-to-summon-medical-care claim against the defendants and the County.
8. Whether the challenged claims should be dismissed with or without leave to amend.

HOLDINGS

1. The complaint plausibly alleged that Doe defendants knew or should have known of dangerous drug proliferation in the County jail system, failed to take reasonable measures such as screening deputies or using body scanners, and thereby caused Morgan's overdose. The motion to dismiss Count 1 was denied.
2. The complaint did not plausibly allege that Abass, Orji, or Zubair acted with deliberate indifference to Morgan's medical needs. Count 2 was dismissed as to Abass and Zubair without leave to amend and as to Orji with leave to amend.
3. The complaint plausibly alleged a Monell failure-to-train claim based on the County's alleged failure to train jail employees to prevent drug proliferation, but did not plausibly allege a failure to train medical staff to treat drug abuse. The latter theory was dismissed without leave to amend; the drug-proliferation theory survived.
4. Most of the alleged County policies, customs, and practices were insufficiently pleaded, but the alleged policy of routinely failing to train correctional staff to prevent drugs from being smuggled into jail

facilities plausibly stated a Monell claim and survived dismissal.

5. The complaint failed to state a ratification claim. The claim against the County was dismissed with leave to amend, while the claim against Doe defendants was dismissed without leave to amend.
6. The complaint plausibly alleged a familial-relations claim against Doe defendants based on their alleged deliberate indifference to the proliferation of dangerous drugs, but did not plausibly allege such a claim against Abass, Orji, or Zubair. The claim was dismissed against Orji with leave to amend and against Abass and Zubair without leave to amend.
7. California Government Code section 815(a) barred plaintiffs' direct common-law negligence claim against the County absent statutory authorization. Count 7 was dismissed without leave to amend as to the County but survived against Doe defendants.
8. The complaint failed to state a Bane Act claim because it did not plausibly allege that defendants specifically intended, through reckless disregard or otherwise, to interfere with Morgan's constitutional rights. The claim was dismissed against Doe defendants and Orji with leave to amend and against Abass and Zubair without leave to amend.
9. The motion to dismiss Count 9 was denied. Sections 815(a) and 844.6 did not foreclose a section 845.6 claim because section 845.6 creates an exception for failure to summon medical care when an employee acts within the scope of employment.

KEY QUOTATIONS

“To state a claim under § 1983, a plaintiff must prove that (1) they were “deprived of a right secured by the Constitution or laws of the United States,” and (2) “the alleged deprivation was committed under color of state law.”” (Discussion § IV.A.1)

“Thus, the plaintiff must prove more than negligence but less than subjective intent—something akin to reckless disregard” (Discussion § IV.A.1)

“As a general matter, municipal liability is not available in § 1983 actions under a respondeat superior theory.” (Discussion § IV.A.2)

“However, section 845.6 clearly carves out an exception for a public entity’s failure to summon medical care” (Discussion § IV.B.3)

FACTUAL BACKGROUND

Daejon Morgan was detained at Twin Towers Correctional Facility in Los Angeles County. The complaint alleged a pattern of drug overdoses and fentanyl exposures in County jails, including an alleged deputy drug-smuggling incident. Morgan overdosed on October 14, 2024, received Narcan and medical treatment, was returned to custody with recommended follow-up, and was later evaluated by jail medical personnel. On October 30, 2024, Morgan suddenly became unresponsive in his cell and died after jail staff were summoned.

PROCEDURAL HISTORY

Plaintiffs filed a First Amended Complaint asserting six claims under 42 U.S.C. § 1983 and three California-law claims against the County, individual medical defendants, and Doe defendants. Defendants moved to dismiss all claims. The court dismissed or partially dismissed several claims, denied dismissal of claims concerning dangerous jail conditions, certain Monell allegations, interference with familial relations against Doe defendants, negligence against Doe defendants, and failure to summon medical care, and ordered plaintiffs to file an amended complaint by February 3, 2026.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand. Plaintiffs were ordered to file an amended complaint by February 3, 2026. If they failed to amend, claims dismissed with leave to amend would be deemed dismissed with prejudice.

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Balistreri v. Pacifica Police Department, 901 F.2d 696, 699 (9th Cir. 1990)
- Porter v. Jones, 319 F.3d 482, 494 (9th Cir. 2003)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)
- Lee v. City of Los Angeles, 250 F.3d 668, 679 (9th Cir. 2001)
- Sprewell v. Golden State Warriors, 266 F.3d 979, 988 (9th Cir. 2001)
- Manzarek v. St. Paul Fire & Marine Insurance Co., 519 F.3d 1025, 1031 (9th Cir. 2008)
- Schreiber Distributing Co. v. Serv-Well Furniture Co., 806 F.2d 1393, 1401 (9th Cir. 1986)
- Carrico v. City & County of San Francisco, 656 F.3d 1002, 1008 (9th Cir. 2011)
- March v. County of San Diego, 680 F.3d 1148, 1152 (9th Cir. 2012)
- American Manufacturers Mutual Insurance Co. v. Sullivan, 526 U.S. 40, 49-50 (1999)
- Fraihat v. U.S. Immigration & Customs Enforcement, 16 F.4th 613, 636 (9th Cir. 2021)
- Gordon v. County of Orange, 888 F.3d 1118, 1125 (9th Cir. 2018)
- Castro v. County of Los Angeles, 833 F.3d 1060, 1071 (9th Cir. 2016)
- Monell v. Department of Social Services, 436 U.S. 658, 690-94 (1978)
- Gillette v. Delmore, 979 F.2d 1342, 1346-47 (9th Cir. 1992)
- City of Canton v. Harris, 489 U.S. 378, 387, 390 (1989)
- Board of County Commissioners v. Brown, 520 U.S. 397, 407 (1997)
- Connick v. Thompson, 563 U.S. 51, 62 (2011)
- Doe #1 M.L. v. San Bernardino Sheriff's Department, 753 F. Supp. 3d 1024, 1029-30 (C.D. Cal. 2024)
- Waggy v. Spokane County, 594 F.3d 707, 713-14 (9th Cir. 2010)
- Herd v. County of San Bernardino, 311 F. Supp. 3d 1157, 1168 (C.D. Cal. 2018)

- City of St. Louis v. Praprotnik, 485 U.S. 112, 127 (1988)
- Trevino v. Gates, 99 F.3d 911, 918 (9th Cir. 1996)
- Saved Magazine v. Spokane Police Department, 19 F.4th 1193, 1201 (9th Cir. 2021)
- Jackson v. Barnes, 749 F.3d 755, 763 (9th Cir. 2014)
- Tsao v. Desert Palace, Inc., 698 F.3d 1128, 1143, 1145 (9th Cir. 2012)
- Oviatt v. Pearce, 954 F.2d 1470, 1474 (9th Cir. 1992)
- Rosenbaum v. Washoe County, 663 F.3d 1071, 1079 (9th Cir. 2011)
- Porter v. Osborn, 546 F.3d 1131, 1137 (9th Cir. 2008)
- Wilkinson v. Torres, 610 F.3d 546, 554 (9th Cir. 2010)
- Herrera v. Los Angeles Unified School District, 18 F.4th 1156, 1158-59 (9th Cir. 2021)
- Johnson v. Shasta County, 83 F. Supp. 3d 918, 936 (E.D. Cal. 2015)
- Reese v. County of Sacramento, 888 F.3d 1030, 1044-45 (9th Cir. 2018)
- Zamani v. Carnes, 491 F.3d 990, 997 (9th Cir. 2007)

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