

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Bibbs v. Pfeiffer, et al.

Bibbs · No. 1:24-cv-1323-BAM (PC) · Decided April 23, 2025

SUMMARY

The United States District Court for the Eastern District of California screened Martin J. Bibbs's first amended 42 U.S.C. § 1983 complaint and found a cognizable Eighth Amendment deliberate-indifference claim against Dr. Devine. The court allowed the action to proceed based on allegations that Dr. Devine cancelled recommended medical treatment, diagnostic imaging, and specialist follow-up, and stated that a separate service order would issue.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Barbara A. McAuliffe
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	April 23, 2025
DOCKET	1:24-cv-1323-BAM (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Screening of a prisoner's first amended complaint under 28 U.S.C. § 1915A.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the Court screens the complaint and dismisses claims that are frivolous or malicious, fail to state a claim, or seek monetary relief from an immune defendant. To survive screening, the allegations must satisfy Federal Rule of Civil Procedure 8(a)(2) and plausibly establish liability under <i>Ashcroft v. Iqbal</i> and <i>Bell Atlantic Corp. v. Twombly</i> . Allegations are liberally construed at the screening stage and taken as true, but unwarranted inferences are not indulged.
PRECEDENTIAL VALUE	Unpublished, nonprecedential district-court screening order
PARTIES	Martin J. Bibbs v. Christian Pfeiffer, et al., Dr. Devine

TOPICS

prisoners rights

civil rights

cruel and unusual punishment

pleadings

injunctions

PRACTICE AREAS

civil rights

prisoner litigation

constitutional torts

medical malpractice and deliberate indifference

civil procedure

QUESTIONS PRESENTED

1. Whether the first amended complaint plausibly alleged an objectively serious medical need and deliberate indifference to that need under the Eighth Amendment.
2. Whether Plaintiff's requests for injunctive relief were subject to the limitations imposed by the Prison Litigation Reform Act.

HOLDINGS

1. The first amended complaint states a cognizable Eighth Amendment claim against Dr. Devine based on the alleged cancellation of medically recommended MRI testing, specialist follow-up, and surgery.
2. The allegations, when liberally construed, were sufficient at the screening stage to allege more than negligence, malpractice, or a mere disagreement over treatment.

KEY QUOTATIONS

"Deliberate indifference is a high legal standard" (Document text at 4)

"the cancellation of the treatment recommended (MRI and surgery) was medically unacceptable under the circumstances." (Document text at 5)

FACTUAL BACKGROUND

Plaintiff is a state prisoner housed at Kern Valley State Prison who alleges serious spinal abnormalities, ambulation difficulties, and a need for a wheelchair. After a neurosurgeon recommended surgery and ordered pre-surgical MRI testing, Plaintiff alleges that Dr. Devine, without reviewing prior imaging or consulting a neurologist, canceled the MRIs, specialist follow-up, and surgery. He also alleges that she attempted to remove his wheelchair and walker and refused safety rails and single-cell housing.

PROCEDURAL HISTORY

Plaintiff, a state prisoner proceeding pro se under 42 U.S.C. § 1983, filed a civil-rights action. The Court previously screened the complaint and granted leave to amend. On screening the first amended complaint, the Court found a cognizable Eighth Amendment deliberate-indifference claim against Dr. Devine and ordered the action to proceed against that defendant; a separate order concerning service was to issue.

DISPOSITION

other

CASES CITED

- Jett v. Penner, 439 F.3d 1091, 1096 (9th Cir. 2006)
- Estelle v. Gamble, 429 U.S. 97, 104-106 (1976)
- Farmer v. Brennan, 511 U.S. 825, 837 (1994)
- Simmons v. Navajo County, Ariz., 609 F.3d 1011, 1019 (9th Cir. 2010)
- Toguchi v. Chung, 391 F.3d 1051, 1060 (9th Cir. 2004)
- Broughton v. Cutter Laboratories, 622 F.2d 458, 460 (9th Cir. 1980)
- Anderson v. County of Kern, 45 F.3d 1310, 1316 (9th Cir. 1995)
- Wood v. Housewright, 900 F.2d 1332, 1334 (9th Cir. 1990)
- Sanchez v. Vild, 891 F.2d 240, 242 (9th Cir. 1989)
- Snow v. McDaniel, 681 F.3d 978, 987-988 (9th Cir. 2012)
- Peralta v. Dillard, 744 F.3d 1076, 1082-1083 (9th Cir. 2014)
- Wilhelm v. Rotman, 680 F.3d 1113, 1122-1123 (9th Cir. 2012)
- Jackson v. McIntosh, 90 F.3d 330, 332 (9th Cir. 1996)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)
- Doe I v. Wal-Mart Stores, Inc., 572 F.3d 677, 681 (9th Cir. 2009)
- Moss v. U.S. Secret Service, 572 F.3d 962, 969 (9th Cir. 2009)
- Committee of Central American Refugees v. I.N.S., 795 F.2d 1434, 1441 (9th Cir. 1986)
- Martin v. International Olympic Committee, 740 F.2d 670, 675 (9th Cir. 1984)