

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

Grayson v. Lynch

Grayson · No. 2:24-cv-1488-JDP (P) · Decided March 11, 2025

SUMMARY

The United States District Court for the Eastern District of California dismisses Jason Grayson's second amended 42 U.S.C. § 1983 complaint alleging that correctional officer Vang was deliberately indifferent to his serious medical needs in violation of the Eighth Amendment. The court finds that the allegations do not establish that Vang knew of and disregarded a substantial risk of serious harm. The dismissal is with leave to amend, and Grayson is given thirty days to file a third amended complaint or a notice of voluntary dismissal.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of California                                                                                                                                                                                                                                                                                                              |
| WRITING FOR THE COURT | Jeremy D. Peterson                                                                                                                                                                                                                                                                                                                                                               |
| JURISDICTION          | United States District Court for the Eastern District of California                                                                                                                                                                                                                                                                                                              |
| DECIDED               | March 11, 2025                                                                                                                                                                                                                                                                                                                                                                   |
| DOCKET                | 2:24-cv-1488-JDP (P)                                                                                                                                                                                                                                                                                                                                                             |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                                                            |
| PROCEDURAL POSTURE    | Screening order on a second amended prisoner civil-rights complaint filed under 42 U.S.C. § 1983.                                                                                                                                                                                                                                                                                |
| STANDARD OF REVIEW    | Under 28 U.S.C. § 1915(e), the court screens an in forma pauperis complaint and must dismiss claims that are frivolous, malicious, fail to state a claim, or seek monetary relief from an immune defendant. The pleading must satisfy Federal Rule of Civil Procedure 8(a)(2) and state a plausible claim for relief under Bell Atlantic Corp. v. Twombly and Ashcroft v. Iqbal. |
| PRECEDENTIAL VALUE    | unpublished                                                                                                                                                                                                                                                                                                                                                                      |
| PARTIES               | Jason Grayson v. Jeff Lynch, et al.                                                                                                                                                                                                                                                                                                                                              |

TOPICS

- prisoners rights
- cruel and unusual punishment
- section 1983
- motions to dismiss
- civil procedure

## PRACTICE AREAS

prisoner civil rights

constitutional law

civil procedure

medical care

## QUESTIONS PRESENTED

1. Whether the second amended complaint plausibly alleged that defendant Vang was deliberately indifferent to plaintiff's serious medical needs in violation of the Eighth Amendment.
2. Whether the complaint should be dismissed under the prisoner-screening and pleading standards for failure to state a claim.
3. Whether plaintiff should be granted leave to amend.

## HOLDINGS

1. The second amended complaint failed to state a viable Eighth Amendment claim because it did not allege facts showing that Vang knew plaintiff faced a substantial risk of serious harm and disregarded that risk by failing to take reasonable steps to abate it.
2. The complaint was subject to dismissal for failure to state a claim under 28 U.S.C. § 1915(e), Federal Rule of Civil Procedure 8(a)(2), and the plausibility standards of *Twombly* and *Iqbal*.
3. Plaintiff was granted another opportunity to amend his complaint and was required either to file an amended complaint or a notice of voluntary dismissal within thirty days.

## KEY QUOTATIONS

*"A prison official is deliberately indifferent if he knows that a prisoner faces a substantial risk of serious harm and disregards that risk by failing to take reasonable steps to abate it."* (at 4)

*"If plaintiff decides to file an amended complaint, the amended complaint will supersede the current one."* (at 5)

## FACTUAL BACKGROUND

Plaintiff alleged that he reported suicidal ideations and was taken to a medical facility, where he waited for clinicians and was eventually placed in an outdoor safety cell. He alleged that the cell was cold, exposed to the elements, and covered with blood and bird feces, and that he remained there for approximately eleven hours. Plaintiff further alleged that defendant Vang ignored his requests for another psychological evaluation and punished him for seeking mental-health care.

## PROCEDURAL HISTORY

Plaintiff, a state prisoner proceeding pro se, filed a second amended complaint alleging that correctional officer Vang was deliberately indifferent to his serious medical needs in violation of the Eighth Amendment. The court screened the complaint, found that it failed to state a viable claim, dismissed it with leave to amend, and gave plaintiff thirty days either to file a further amended complaint or to voluntarily dismiss the action without prejudice.

## DISPOSITION

other

## CASES CITED

- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Kobold v. Good Samaritan Reg'l Med. Ctr., 832 F.3d 1024, 1038 (9th Cir. 2016)
- Nagrampa v. MailCoups, Inc., 469 F.3d 1257, 1264 n.2 (9th Cir. 2006) (en banc)
- Haines v. Kerner, 404 U.S. 519, 520 (1972) (per curiam)
- Hayes v. Idaho Corr. Ctr., 849 F.3d 1204, 1208 (9th Cir. 2017)
- Bruns v. Nat'l Credit Union Admin., 122 F.3d 1251, 1257 (9th Cir. 1997)
- Ivey v. Bd. of Regents, 673 F.2d 266, 268 (9th Cir. 1982)
- Estelle v. Gamble, 429 U.S. 97, 104 (1976)
- McGuckin v. Smith, 974 F.2d 1050, 1059 (9th Cir. 1992)
- WMX Technologies, Inc. v. Miller, 104 F.3d 1133, 1136 (9th Cir. 1997) (en banc)
- Farmer v. Brennan, 511 U.S. 825, 837 (1994)
- Gibson v. Cnty. of Washoe, 290 F.3d 1175, 1188 (9th Cir. 2002)
- Lacey v. Maricopa Cnty., 693 F.3d 896, 907 n.1 (9th Cir. 2012) (en banc)

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