

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Evans v. Cisneros

No. 1:22-cv-01238-KES-BAM (PC) (E.D. Cal. June 17, 2025) · No. 1:22-cv-01238-KES-BAM (PC) · Decided
June 17, 2025

SUMMARY

The document contains findings and recommendations by a magistrate judge in a prisoner civil-rights action under 42 U.S.C. § 1983. The court recommends granting defendants’ amended motion to dismiss the plaintiff’s RLUIPA claims as moot following his release from custody, dismissing Defendant A. Rodriguez, and allowing the First Amendment claims against the remaining defendants to proceed. The parties were given fourteen days to file objections.

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	June 17, 2025
DOCKET	1:22-cv-01238-KES-BAM (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Findings and recommendations on defendants' amended Rule 12(b)(6) motion to dismiss portions of a pro se prison civil-rights complaint.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded allegations as true, construes the complaint in the plaintiff's favor, and generally considers only the pleadings, attached exhibits, incorporated documents, and matters subject to judicial notice. Pro se pleadings are liberally construed, but the court may not supply essential elements or credit naked assertions, labels, conclusions, or formulaic recitations.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Cleveland Evans v. D. O'Donaghuy, R. Moua, F. Barraza Hernandez, L. Ruiz-Montalvo, A. Rodriguez

TOPICS

motions to dismiss

first amendment

free exercise clause

injunctions

civil procedure

PRACTICE AREAS

civil rights

constitutional law

prisoner civil rights

religious freedom

civil procedure

QUESTIONS PRESENTED

1. Whether Evans's RLUIPA claims for injunctive relief became moot after his release from custody.
2. Whether defendant A. Rodriguez should be dismissed because the only claim asserted against Rodriguez was the moot RLUIPA claim.
3. Whether the action should otherwise proceed on Evans's First Amendment claims against the remaining defendants.

HOLDINGS

1. The magistrate judge recommended that Evans's RLUIPA claims for injunctive relief be dismissed as moot because Evans had been released from custody and had no reasonable expectation that the defendants would violate his rights in the future.
2. The magistrate judge recommended dismissing A. Rodriguez because the only cause of action asserted against Rodriguez was the moot RLUIPA claim.
3. The magistrate judge recommended that the action proceed on Evans's First Amendment claims against D. O'Donahy, R. Moua, F. Barraza Hernandez, and L. Ruiz-Montalvo.

KEY QUOTATIONS

"In light of Plaintiff's release from custody, Plaintiff's RLUIPA claims for injunctive relief are moot." (Section II.C)

"This action proceed on Plaintiff's second amended complaint only on Plaintiff's First Amendment claims against Defendants D. O'Donahy, R. Moua, F. Barraza Hernandez, and L. Ruiz-Montalvo." (Section III)

FACTUAL BACKGROUND

Evans, a Muslim former state prisoner, alleged that while housed in administrative segregation at the California Substance Abuse and Treatment Facility, prison officials repeatedly failed to provide Halal meals despite knowing of his religious dietary requirements and his prior approval for a religious diet. He alleged that Halal meals were omitted approximately three days per week for nine months and that the named officials knew of, participated in, or failed to remedy the deprivation. During the pendency of the motion, Evans was paroled and released from state custody, and the record contained no evidence that he would likely return to the facility or that he was being denied Halal meals elsewhere.

PROCEDURAL HISTORY

Evans filed a second amended complaint under 42 U.S.C. § 1983 asserting First Amendment claims concerning denial of Halal meals and RLUIPA claims against two defendants. Defendants moved to dismiss the RLUIPA

claims and sought dismissal of defendant A. Rodriguez, arguing that Evans's release from prison mooted his requests for injunctive relief. The magistrate judge recommended granting the motion, dismissing the RLUIPA claims without leave to amend, dismissing Rodriguez, and allowing the First Amendment claims to proceed.

DISPOSITION

other

CASES CITED

- Erickson v. Pardus, 551 U.S. 89 (2007)
- Jenkins v. McKeithen, 395 U.S. 411, 421 (1969)
- Meek v. County of Riverside, 183 F.3d 962, 965 (9th Cir. 1999)
- Outdoor Media Group, Inc. v. City of Beaumont, 506 F.3d 895, 899 (9th Cir. 2007)
- Van Buskirk v. Cable News Network, Inc., 284 F.3d 977, 980 (9th Cir. 2002)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Bretz v. Kelman, 773 F.2d 1026, 1027 n.1 (9th Cir. 1985) (en banc)
- Ivey v. Board of Regents of University of Alaska, 673 F.2d 266, 268 (9th Cir. 1982)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555-57 (2007)
- Hartmann v. California Department of Corrections & Rehabilitation, 707 F.3d 1114, 1124-25 (9th Cir. 2013)
- Greene v. Solano County Jail, 513 F.3d 982, 988 (9th Cir. 2008)
- Holt v. Hobbs, 574 U.S. 352, 361-62 (2015)
- Sossamon v. Texas, 563 U.S. 277, 279 (2011)
- Wood v. Yordy, 753 F.3d 899, 904 (9th Cir. 2014)
- Jones v. Williams, 791 F.3d 1023, 1031 (9th Cir. 2015)
- In re Yahoo Mail Litigation, 7 F. Supp. 3d 1016, 1024 (N.D. Cal. 2014)
- Louis v. McCormick & Schmick Restaurant Corp., 460 F. Supp. 2d 1153, 1155 n.4 (C.D. Cal. 2006)
- Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)
- Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)