

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Aaron Vrh v. Nichole Gordian, et al.

Vrh v. Gordian · No. 1:24-cv-01248-JLT-EPG (PC) · Decided August 28, 2025

SUMMARY

The document is findings and recommendations from the United States District Court for the Eastern District of California in a prisoner civil-rights action under 42 U.S.C. § 1983. It recommends that the case proceed only on claims involving unconstitutional conditions of confinement, retaliation, deliberate indifference to serious medical needs, and denial of due process against specified defendants, while other claims should not proceed.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Erica P. Grosjean, United States Magistrate Judge
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	August 28, 2025
DOCKET	1:24-cv-01248-JLT-EPG (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Screening of a state prisoner’s first amended complaint under 28 U.S.C. § 1915A, resulting in findings and recommendations that the action proceed on four categories of claims and that all other claims and defendants be dismissed without further leave to amend.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court must dismiss a prisoner complaint or claim that is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant. The court accepted well-pleaded factual allegations as true, liberally construed the pro se pleading, and applied the plausibility standard under Federal Rule of Civil Procedure 8(a)(2), <i>Ashcroft v. Iqbal</i> , and <i>Bell Atlantic Corp. v. Twombly</i> .
PRECEDENTIAL VALUE	Nonprecedential findings and recommendations; no reporter citation and no final district-judge disposition stated.

TOPICS

section 1983

prisoners rights

civil rights

pleadings

due process

PRACTICE AREAS

prisoner civil rights

constitutional law

civil procedure

prison conditions

prison medical care

QUESTIONS PRESENTED

1. Whether the amended complaint plausibly stated an Eighth Amendment conditions-of-confinement claim against Gordian based on allegedly forcing Plaintiff to perform work beyond his medical restrictions.
2. Whether the amended complaint plausibly stated First Amendment retaliation claims against the named prison officials.
3. Whether the amended complaint plausibly stated Eighth Amendment deliberate-indifference claims against the medical defendants.
4. Whether the amended complaint plausibly stated Fourteenth Amendment procedural-due-process claims against Ramirez, Guzman, and Andrade concerning prison disciplinary proceedings.
5. Whether the alleged loss or damage of Plaintiff's personal property stated a Fourteenth Amendment due-process claim despite the availability of a California post-deprivation tort remedy.

HOLDINGS

1. The amended complaint plausibly stated a claim against Gordian for unconstitutional conditions of confinement because Plaintiff alleged that she knowingly compelled him to perform physical labor beyond his medical restrictions, causing pain and other physical symptoms.
2. The amended complaint failed to state a retaliation claim against Gordian or Zaragoza because it did not plausibly allege that their conduct was taken because of Plaintiff's protected activity.
3. The amended complaint failed to state retaliation claims against the medical defendants because it did not adequately allege that they knew of Plaintiff's protected complaints and acted because of them.
4. The amended complaint plausibly stated retaliation claims against Dunas, Genseal, and De La Garza based on allegations that they mishandled, withheld, or threatened to withhold Plaintiff's property because he filed grievances.
5. The amended complaint plausibly stated deliberate-indifference claims against Dr. Shin, Nurse Anderson, Nurse Johnson, Dr. Longia, and Dr. Bansal, but not against Nurse Walker.
6. The amended complaint plausibly stated procedural-due-process claims against Ramirez, Guzman, and Andrade based on alleged denial of investigative assistance and witnesses during disciplinary proceedings that resulted in significant sanctions.
7. The amended complaint failed to state a federal due-process claim for the loss or damage of Plaintiff's personal property because the alleged deprivation was unauthorized and California provides an adequate post-deprivation tort remedy.

KEY QUOTATIONS

“Liberally construing the above allegations for purposes of screening, the Court concludes that Plaintiff’s First Amended Complaint has stated a claim for unconstitutional conditions of confinement against Gordian.” (at 28)

“Upon review, the Court concludes that, for the purposes of screening, Plaintiff has provided sufficient allegations to state a retaliation claim against Dunas, Genseal, and De La Garza.” (at 44)

“Liberally construing Plaintiff’s allegations, the Court concludes that they are sufficient to state claims of deliberate indifference to Plaintiff serious medical needs against Defendants Dr. Shin, Nurse Anderson, Nurse Johnson, Dr. Longia, and Dr. Bansal” (at 49-50)

“Liberally construing Plaintiff’s allegations, the Court concludes that Plaintiff has sufficiently stated a claim against Defendants Ramirez, Guzman, and Andrade based on denial of due process in connection with his RVR proceedings.” (at 53-54)

FACTUAL BACKGROUND

Plaintiff, a state prisoner with alleged permanent spinal injuries and medical restrictions, claimed that prison vocational teacher Nichole Gordian required him to perform work and classroom activities beyond his physical limitations, causing pain and other symptoms. He alleged that prison and medical officials retaliated against him for filing grievances and complaining about prison conduct, denied or delayed medical care, and interfered with his access to medical accommodations. He also alleged due-process violations during prison disciplinary proceedings and the loss or damage of personal property after he was placed in administrative segregation.

PROCEDURAL HISTORY

Plaintiff filed the action under 42 U.S.C. § 1983 on October 15, 2024. The court screened the original complaint, identified only limited cognizable claims, and granted Plaintiff an opportunity to amend or proceed on the cognizable claims. Plaintiff filed a first amended complaint on April 23, 2025. After screening the amended complaint, the magistrate judge recommended that the case proceed on claims against Gordian, Dunas, Genseal, De La Garza, Dr. Shin, Nurse Anderson, Nurse Johnson, Dr. Longia, Dr. Bansal, Ramirez, Guzman, and Andrade, and that all other claims and defendants be dismissed without further leave to amend. The recommendations were subject to objections and further review by the assigned district judge.

DISPOSITION

other

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 676-79 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Graham v. Connor, 490 U.S. 386, 393-94 (1989)
- Baker v. McCollan, 443 U.S. 137, 144 n.3 (1979)

- Hall v. City of Los Angeles, 697 F.3d 1059, 1068 (9th Cir. 2012)
- Crowley v. Nevada, 678 F.3d 730, 734 (9th Cir. 2012)
- Anderson v. Warner, 451 F.3d 1063, 1067 (9th Cir. 2006)
- Long v. County of Los Angeles, 442 F.3d 1178, 1185 (9th Cir. 2006)
- Marsh v. County of San Diego, 680 F.3d 1148, 1158 (9th Cir. 2012)
- Preschooler II v. Clark County School Board of Trustees, 479 F.3d 1175, 1183 (9th Cir. 2007)
- Johnson v. Duffy, 588 F.2d 740, 743 (9th Cir. 1978)
- Arnold v. International Business Machines Corp., 637 F.2d 1350, 1355 (9th Cir. 1981)
- Harper v. City of Los Angeles, 533 F.3d 1010, 1026 (9th Cir. 2008)
- Monell v. Department of Social Services of City of New York, 436 U.S. 658, 691, 695 (1978)
- Hebbe v. Pliler, 627 F.3d 338, 342 (9th Cir. 2010)
- Helling v. McKinney, 509 U.S. 25, 31 (1993)
- Farmer v. Brennan, 511 U.S. 825, 832, 834, 836-37 (1994)
- Denney v. Redwood City, No. C 95-2148 CAL, 1995 WL 494592, at *1 (N.D. Cal. Aug. 7, 1995)
- Rhodes v. Chapman, 452 U.S. 337, 347 (1981)
- Morgan v. Morgensen, 465 F.3d 1041, 1045 (9th Cir. 2006)
- Osolinski v. Kane, 92 F.3d 934, 937 (9th Cir. 1996)
- Jordan v. Gardner, 986 F.2d 1521, 1531 (9th Cir. 1993) (en banc)
- Toussaint v. McCarthy, 801 F.2d 1080, 1107 (9th Cir. 1986)
- Sandin v. Connor, 515 U.S. 472 (1995)
- Johnson v. Lewis, 217 F.3d 726, 731 (9th Cir. 2000)
- Hoptowit v. Ray, 682 F.2d 1237, 1246 (9th Cir. 1982)
- Wright v. Rushen, 642 F.2d 1129, 1132-33 (9th Cir. 1981)
- Turner v. Safley, 482 U.S. 78, 84-85 (1987)
- Gates v. Rowland, 39 F.3d 1439, 1448 (9th Cir. 1994)
- Leon v. Vasquez, No. 1:11-CV-00601-LJO, 2011 WL 4353124, at *2 (E.D. Cal. Sept. 16, 2011)
- Rhodes v. Robinson, 408 F.3d 559, 567-69 (9th Cir. 2005)
- Brodheim v. Cry, 584 F.3d 1262, 1269-71 (9th Cir. 2009)
- Barth v. Montejo, No. 2:19-CV-1874 DB P, 2020 WL 73407, at *2 (E.D. Cal. Jan. 7, 2020)
- Ramirez v. Galaza, 334 F.3d 850, 858, 860 (9th Cir. 2003)
- Bradley v. Hall, 64 F.3d 1276, 1279 (9th Cir. 1995)
- Shaw v. Murphy, 532 U.S. 223, 230 n.2 (2001)
- Uribe v. McKesson, No. 08CV01285 DMS NLS, 2011 WL 9640, at *12 (S.D. Cal. Jan. 3, 2011)
- Pratt v. Rowland, 65 F.3d 802, 808 (9th Cir. 1995)
- Huskey v. City of San Jose, 204 F.3d 893, 899 (9th Cir. 2000)
- Rojo v. Paramo, No. 13CV2237 LAB BGS, 2014 WL 2586904, at *5 (S.D. Cal. June 10, 2014)
- Fayle v. Stapley, 607 F.2d 858, 862 (9th Cir. 1979)

- Mosher v. Saalfeld, 589 F.2d 438, 441 (9th Cir. 1978)
- Hansen v. Black, 885 F.2d 642, 646 (9th Cir. 1989)
- Taylor v. List, 880 F.2d 1040, 1045 (9th Cir. 1989)
- Jett v. Penner, 439 F.3d 1091, 1096 (9th Cir. 2006)
- Estelle v. Gamble, 429 U.S. 97, 104 (1976)
- McGuckin v. Smith, 974 F.2d 1050, 1059-60 (9th Cir. 1992)
- WMX Technologies v. Miller, 104 F.3d 1133 (9th Cir. 1997) (en banc)
- Toguchi v. Chung, 391 F.3d 1051, 1057 (9th Cir. 2004)
- Sanchez v. Vild, 891 F.2d 240, 242 (9th Cir. 1989)
- Jackson v. McIntosh, 90 F.3d 330, 332 (9th Cir. 1996)
- Wolff v. McDonnell, 418 U.S. 539, 556, 564-70 (1974)
- Hewitt v. Helms, 459 U.S. 460, 466-68 (1983)
- Serrano v. Francis, 345 F.3d 1071, 1078 (9th Cir. 2003)
- Superintendent v. Hill, 472 U.S. 445, 455-56 (1985)
- Cato v. Rushen, 824 F.2d 703, 705 (9th Cir. 1987)
- Heck v. Humphrey, 512 U.S. 477, 486-87 (1994)
- Edwards v. Balisok, 520 U.S. 641, 646 (1997)
- Hudson v. Palmer, 468 U.S. 517, 532 n.13, 533 (1984)
- Logan v. Zimmerman Brush Co., 455 U.S. 422, 436 (1982)
- Quick v. Jones, 754 F.2d 1521, 1524 (9th Cir. 1985)
- Piatt v. McDougall, 773 F.2d 1032, 1036 (9th Cir. 1985)
- Knudson v. City of Ellensburg, 832 F.2d 1142, 1149 (9th Cir. 1987)
- Strauss v. County of Los Angeles, No. 19-CV-05277-GW (AFM), 2020 WL 8026143, at *9 (C.D. Cal. Oct. 7, 2020)
- McFalls v. Alonzo, No. 21-cv-849-MMA-RBB, 2021 WL 2577149, at *4 (S.D. Cal. June 23, 2021)
- Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)
- Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)