

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

William Shaw v. Woods, et al.

Shaw v. Woods · No. 2:24-cv-02247 SCR P · Decided September 30, 2025

SUMMARY

The United States District Court for the Eastern District of California screened William Shaw’s prisoner civil-rights complaint under 28 U.S.C. § 1915A. The court granted in forma pauperis status and found a cognizable Eighth Amendment failure-to-protect claim against A. Cortina, but no cognizable claims against A. Avilla or J. Guevarra based on the allegations concerning pepper spray. Shaw was given the option to proceed against Cortina alone or file an amended complaint, with an attached notice of election.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 30, 2025
DOCKET	2:24-cv-02247 SCR P
DISPOSITION	other
PROCEDURAL POSTURE	Initial screening of an incarcerated plaintiff's 42 U.S.C. § 1983 complaint under 28 U.S.C. § 1915A.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court must dismiss a prisoner claim that is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant. On screening, allegations are accepted as true and construed in the plaintiff's favor; a complaint must contain sufficient factual matter to state a facially plausible claim.
PRECEDENTIAL VALUE	Unknown and likely nonprecedential district-court screening order
PARTIES	William Shaw v. Woods, et al.

TOPICS

- prisoners rights
- civil rights
- section 1983
- cruel and unusual punishment
- venue

PRACTICE AREAS

prisoner civil rights

constitutional law

civil procedure

venue

in forma pauperis

QUESTIONS PRESENTED

1. Whether the complaint stated a cognizable Eighth Amendment failure-to-protect or failure-to-intervene claim against Cortina.
2. Whether the complaint stated an Eighth Amendment excessive-force claim against Avilla and Guevarra based on their use of pepper spray.
3. Whether the court should transfer the action sua sponte for improper venue.
4. Whether Shaw should be granted leave to proceed in forma pauperis.

HOLDINGS

1. The complaint stated a cognizable Eighth Amendment failure-to-protect or failure-to-intervene claim because Shaw alleged that Cortina personally witnessed an inmate punching and stabbing him, knew of the obvious danger, had an opportunity to intervene, and failed to take reasonable steps for several minutes.
2. The complaint did not state a cognizable excessive-force claim against Avilla or Guevarra because the alleged use of pepper spray during an ongoing knife attack supported an inference that the officers acted in a good-faith effort to maintain or restore discipline, and Shaw alleged no injuries supporting an inference of excessive force.
3. The court declined to transfer the action at that time because it was not clear that Shaw could allege no set of facts supporting venue in the Eastern District of California.
4. The court granted Shaw leave to proceed in forma pauperis subject to payment of the statutory filing fee through installment deductions from his inmate trust account.

KEY QUOTATIONS

“A prison official acts with deliberate indifference only if he “knows of and disregards an excessive risk to inmate health and safety; the official must both be aware of facts from which the inference could be drawn that a substantial risk of serious harm exists, and he must also draw the inference.”” (at 3)

“The core judicial inquiry is ... whether force was applied in a good-faith effort to maintain or restore discipline, or maliciously and sadistically to cause harm.” (at 4)

“Because plaintiff could plausibly allege a set of facts to support venue in this Division, the undersigned will not transfer the action at this time.” (at 5)

FACTUAL BACKGROUND

Shaw alleged that on September 27, 2023, while incarcerated, another inmate punched him, brandished a knife, and then stabbed him for five or six minutes. He alleged that correctional officer Cortina witnessed the attack but did not intervene until firing a non-lethal weapon several minutes later. Shaw further alleged that Avilla and

Guevarra used pepper spray during the altercation, including while the attacking inmate was on top of Shaw, and that the officers later gave allegedly false accounts of the incident.

PROCEDURAL HISTORY

William Shaw filed a prisoner civil-rights complaint against correctional officers A. Cortina, A. Avilla, and J. Guevarra, along with an application to proceed in forma pauperis. The court granted in forma pauperis status, screened the complaint, found a cognizable Eighth Amendment failure-to-protect claim against Cortina, and found no cognizable claims against Avilla or Guevarra. The court allowed Shaw either to proceed against Cortina while voluntarily dismissing the other defendants or to file an amended complaint within thirty days.

DISPOSITION

other

CASES CITED

- *Neitzke v. Williams*, 490 U.S. 319, 325, 327 (1989)
- *Jackson v. Arizona*, 885 F.2d 639, 640 (9th Cir. 1989)
- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555-57, 570 (2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Erickson v. Pardus*, 551 U.S. 89, 93-94 (2007)
- *Scheuer v. Rhodes*, 416 U.S. 232, 236 (1974)
- *Sagana v. Tenorio*, 384 F.3d 731, 736-37 (9th Cir. 2004)
- *Farmer v. Brennan*, 511 U.S. 825, 832-34, 837, 847 (1994)
- *Hudson v. Palmer*, 468 U.S. 517, 526-27 (1984)
- *Labatad v. Corr. Corp. of Am.*, 714 F.3d 1155, 1160 (9th Cir. 2013)
- *Whitley v. Albers*, 475 U.S. 312, 319 (1986)
- *Hudson v. McMillan*, 503 U.S. 1, 7 (1992)
- *Hughes v. Rodriguez*, 31 F.4th 1211, 1221 (9th Cir. 2022)
- *Furnace v. Sullivan*, 705 F.3d 1021, 1028 (9th Cir. 2013)
- *Costlow v. Weeks*, 790 F.2d 1486, 1488 (9th Cir. 1986)
- *Trujillo v. Williams*, 465 F.3d 1210, 1217 (10th Cir. 2006)
- *Murphy v. Schneider Nat'l, Inc.*, 362 F.3d 1133, 1138 (9th Cir. 2004)
- *Harris v. County of Orange*, 682 F.3d 1126, 1131-32 (9th Cir. 2012)
- *Rizzo v. Goode*, 423 U.S. 362, 370-71 (1976)
- *Arnold v. International Business Machines Corp.*, 637 F.2d 1350, 1355 (9th Cir. 1981)
- *Johnson v. Duffy*, 588 F.2d 740, 743 (9th Cir. 1978)
- *Ivey v. Board of Regents*, 673 F.2d 266, 268 (9th Cir. 1982)
- *Loux v. Rhay*, 375 F.2d 55, 57 (9th Cir. 1967)

- Lacey v. Maricopa County, 693 F.3d 896, 928 (9th Cir. 2012)

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