

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Davis v. Rodriguez, et al.

Davis · No. 1:25-cv-00368-JLT-BAM (PC) · Decided December 3, 2025

SUMMARY

The document is a magistrate judge’s Findings and Recommendation in Davis v. Rodriguez concerning a state prisoner’s 42 U.S.C. § 1983 action. The court concludes that the second amended complaint fails to state cognizable claims under the Eighth, Fourth, and Fourteenth Amendments, the Americans with Disabilities Act, or other asserted theories, and that the claims are improperly joined. The court recommends dismissal for failure to state a claim without further leave to amend, subject to fourteen-day 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	December 3, 2025
DOCKET	1:25-cv-00368-JLT-BAM (PC)
DISPOSITION	other
PROCEDURAL POSTURE	A magistrate judge screened a state prisoner’s second amended complaint under 28 U.S.C. § 1915A and recommended dismissal for failure to state a cognizable claim after prior opportunities to amend.
STANDARD OF REVIEW	Screening under 28 U.S.C. § 1915A; the complaint must satisfy Federal Rule of Civil Procedure 8 and state a facially plausible claim under the standards articulated in Iqbal and Twombly. Factual allegations are accepted as true for screening, but legal conclusions and unwarranted inferences are not.
PRECEDENTIAL VALUE	Unknown; findings and recommendation of a federal magistrate judge in a prisoner screening matter
PARTIES	Cornell E. Davis v. Rodriguez, et al.

TOPICS

section 1983

prisoners rights

pleadings

civil procedure

ada / disability

PRACTICE AREAS

civil rights

constitutional law

prisoner litigation

civil procedure

disability discrimination

QUESTIONS PRESENTED

1. Whether the second amended complaint satisfied Federal Rule of Civil Procedure 8 and stated facially plausible claims under 42 U.S.C. § 1983.
2. Whether Plaintiff improperly joined unrelated claims and defendants in violation of Federal Rules of Civil Procedure 18 and 20.
3. Whether the allegations stated a claim under Title II of the Americans with Disabilities Act based on denial of hearing-aid batteries and alleged disability discrimination.
4. Whether claims for damages or injunctive relief against CDCR and the State of California were barred by Eleventh Amendment immunity.
5. Whether the allegations stated Eighth Amendment claims for deliberate indifference to medical needs, sexual abuse or harassment, verbal harassment, or failure to protect.
6. Whether the alleged medical examination with female nurses present stated a Fourth Amendment bodily-privacy claim.
7. Whether the allegations stated a Fourteenth Amendment equal-protection claim based on race or disability.
8. Whether Plaintiff had a constitutional right to early parole consideration or parole eligibility.

HOLDINGS

1. A prisoner complaint is subject to dismissal at screening when it fails to provide sufficient factual matter to state a facially plausible claim, and conclusory allegations and unwarranted inferences do not suffice.
2. Unrelated claims against unrelated defendants may not be joined in one action; claims must arise from the same transaction or occurrence and involve common questions of law or fact before multiple claims may be joined.
3. Denial of hearing-aid batteries, without facts showing exclusion from or denial of the benefits of a prison service, program, or activity because of disability, does not state a Title II ADA claim.
4. Claims for damages or injunctive relief against the State of California, CDCR, or equivalent state agencies are barred by Eleventh Amendment immunity absent waiver or valid congressional abrogation.
5. The second amended complaint did not state cognizable Eighth Amendment claims for deliberate indifference to medical needs, sexual abuse or harassment, verbal harassment, or failure to protect.
6. An intimate touching during a medical examination does not establish a Fourth Amendment privacy violation when the touching is directly related to the medical examination and supported by a legitimate penological justification.

7. Conclusory assertions that prison officials discriminated against Plaintiff because he was Black or deaf, without facts showing intentional discrimination or disparate treatment of similarly situated inmates, do not state an equal-protection claim.
8. A prisoner has no federal constitutional right to early release, parole eligibility, or parole consideration absent a protected liberty interest; therefore, denial of early parole consideration does not state a due-process claim.

KEY QUOTATIONS

“Accordingly, for the reasons stated above, IT IS HEREBY RECOMMENDED that this action be dismissed for failure to state a cognizable claim upon which relief may be granted.” (at 18)

“Therefore, Plaintiff cannot pursue claims for damages or injunctive relief against the State, or CDCR in this action.” (at 9)

FACTUAL BACKGROUND

Plaintiff, a state prisoner housed at Salinas Valley State Prison, alleged that events at Kern Valley State Prison involved denial of hearing-aid batteries, disability-related verbal harassment, threats by correctional staff, a rectal medical examination, and discrimination based on race and disability. He also asserted claims concerning medical care, ADA accommodations, prison disciplinary matters, rehabilitation, parole eligibility, and CDCR liability. The court concluded that the allegations were largely conclusory, involved unrelated claims and defendants, and did not plausibly establish constitutional or statutory violations.

PROCEDURAL HISTORY

Plaintiff filed a § 1983 civil rights action while proceeding pro se and in forma pauperis. The court screened the complaint, granted leave to amend, construed a later lodged complaint as a request to file a second amended complaint, and granted that request. After screening the second amended complaint, the magistrate judge found that Plaintiff failed to state a claim and recommended dismissal without further leave to amend, subject to objections and review by the assigned district judge.

DISPOSITION

other

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555-57 (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)
- Owens v. Hinsley, 635 F.3d 950, 952 (7th Cir. 2011)
- George v. Smith, 507 F.3d 605, 607 (7th Cir. 2007)
- Mackey v. Price, 2020 WL 7319420, at *3-4 (E.D. Cal. Dec. 11, 2020)

- Coughlin v. Rogers, 130 F.3d 1348, 1349, 1351 (9th Cir. 1997)
- United States v. Georgia, 546 U.S. 151, 154 (2006)
- Armstrong v. Wilson, 124 F.3d 1019, 1023 (9th Cir. 1997)
- Duvall v. County of Kitsap, 260 F.3d 1124, 1138 (9th Cir. 2001)
- Bryant v. Madigan, 84 F.3d 246, 249 (7th Cir. 1996)
- Aholelei v. Department of Public Safety, 488 F.3d 1144, 1147 (9th Cir. 2007)
- Dittman v. California, 191 F.3d 1020, 1025-26 (9th Cir. 1999)
- Fireman's Fund Insurance Co. v. City of Lodi, Cal., 302 F.3d 928, 957 n.28 (9th Cir. 2002), cert. denied, 538 U.S. 961 (2003)
- Atascadero State Hospital v. Scanlon, 473 U.S. 234, 241 (1985)
- Brown v. California Department of Corrections, 554 F.3d 747, 752 (9th Cir. 2009)
- Jett v. Penner, 439 F.3d 1091, 1096 (9th Cir. 2006)
- Estelle v. Gamble, 429 U.S. 97, 104-06 (1976)
- Farmer v. Brennan, 511 U.S. 825, 833-34, 837, 841 (1994)
- Toguchi v. Chung, 391 F.3d 1051, 1060 (9th Cir. 2004)
- Broughton v. Cutter Laboratories, 622 F.2d 458, 460 (9th Cir. 1980)
- Wood v. Housewright, 900 F.2d 1332, 1334 (9th Cir. 1990)
- Wood v. Beauclair, 692 F.3d 1041, 1046 (9th Cir. 2012)
- Schwenk v. Hartford, 204 F.3d 1187, 1197 (9th Cir. 2000)
- Bearchild v. Cobban, 947 F.3d 1130, 1144 (9th Cir. 2020)
- Keenan v. Hall, 83 F.3d 1083, 1092 (9th Cir. 1996), opinion amended on denial of reh'g, 135 F.3d 1318 (9th Cir. 1998)
- Gaut v. Sunn, 810 F.2d 923, 925 (9th Cir. 1987)
- Freeman v. Arpaio, 125 F.3d 732, 738 (9th Cir. 1997)
- Oltarzewski v. Ruggiero, 830 F.2d 136, 139 (9th Cir. 1987)
- Shakur v. Schriro, 514 F.3d 878, 891 (9th Cir. 2008)
- Cox v. Kernan, 2019 WL 6840136, at *5 (E.D. Cal. Dec. 16, 2019)
- Bull v. City and County of San Francisco, 595 F.3d 964, 972 (9th Cir. 2010) (en banc)
- Michenfelder v. Sumner, 860 F.2d 328, 332-34 (9th Cir. 1988)
- Grummett v. Rushen, 779 F.2d 491, 494-95 (9th Cir. 1985)
- Jordan v. Gardner, 986 F.2d 1521, 1524 (9th Cir. 1993) (en banc)
- City of Cleburne, Tex. v. Cleburne Living Center, 473 U.S. 432, 439-40 (1985)
- Committee Concerning Community Improvement v. City of Modesto, 583 F.3d 690, 702-03 (9th Cir. 2009)
- Serrano v. Francis, 345 F.3d 1071, 1082 (9th Cir. 2003)
- Engquist v. Oregon Department of Agriculture, 553 U.S. 591, 601-02 (2008)
- Village of Willowbrook v. Olech, 528 U.S. 562, 564 (2000)
- Lazy Y Ranch Ltd. v. Behrens, 546 F.3d 580, 592 (9th Cir. 2008)

- Does 1-5 v. Chandler, 83 F.3d 1150, 1155 (9th Cir. 1996)
- Swarthout v. Cooke, 562 U.S. 216, 220 (2011)
- Greenholtz v. Inmates of Nebraska Penal & Correctional Complex, 442 U.S. 1, 7 (1979)
- Fernandez v. Nevada, No. 3:06-CV-00628 LRH-RA, 2009 WL 700662, at *10 (D. Nev. Mar. 13, 2009)
- Lopez v. Smith, 203 F.3d 1122, 1130 (9th Cir. 2000)
- Lacey v. Maricopa County, 693 F.3d 896, 927 (9th Cir. 2012)
- Azadpour v. Sun Microsystems, Inc., No. 06-3272, 2007 WL 2141079, at *2 n.2 (N.D. Cal. July 23, 2007)
- Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)
- Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)

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