

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Abdul Rahim Sabir II v. San Francisco County Sheriff's Office

Sabir · No. 25-cv-06662-WHO (PR) · Decided January 21, 2026

OPINION

Sabir

PER CURIAM.

1 2 3 4 5 6

7 UNITED STATES DISTRICT COURT

8 NORTHERN DISTRICT OF CALIFORNIA

9 10 ABDUL RAHIM SABIR II, Case No. 25-cv-06662-WHO (PR) Plaintiff, 11

ORDER DISMISSING THE

v.

12 COMPLAINT WITH LEAVE TO

AMEND

13 SAN FRANCISCO COUNTY

SHERIFF'S OFFICE,

14 Defendant. 15

16 INTRODUCTION

17 Plaintiff Abdul Rahim Sabir II claims that unnamed persons at the San Francisco 18 Sheriff's
Office violated his constitutional rights by stripping him naked in front of 19 females. His 42
U.S.C. § 1983 complaint containing these allegations is now before me 20 for review pursuant to
28 U.S.C. § 1915A(a). 21 The complaint fails to state any claim for relief. Sabir has not provided
sufficient 22 factual information, such as the date on which this occurred, the persons who
committed 23 these acts (the only defendant he names is the San Francisco Sheriff's Office), and
what 24 the context was (for example, why was he being transferred to another cell). Sabir must
25 allege specific facts tying each specific person to the exact wrong. Accordingly, the 26
complaint is DISMISSED with leave to file an amended complaint on or before March 2, 27 2026.
Failure to file a proper amended complaint by March 2, 2026, may result in 1 prosecute. 2
Because Sabir has paid the filing fee, his motion to proceed in forma pauperis is 3 DENIED as
moot. (Dkt. No. 2.) 4 The Clerk shall terminate all pending motions. 5 Sabir has filed several
lawsuits. Many of them are subject to dismissal because 6 mail sent by the Court to Sabir has been
returned as undeliverable, Sabir having failed to 7 update his address to his current one in
Sacramento. Whenever his address changes, Sabir 8 must file a change of address notice in each
of his cases, or they likely will be dismissed 9 under Federal Rule of Civil Procedure 41(b) for

failure to prosecute. 10 The Clerk shall send this Order to this address: 11 Abdul Rahim Sabir II
12 # 709192 Sacramento Behavioral Healthcare Hospital 13 1400 Expo Parkway Sacramento, CA
95815 14

DISCUSSION

15 A. Standard of Review 16 A federal court must conduct a preliminary screening in any case in
which a 17 prisoner seeks redress from a governmental entity or officer or employee of a 18
governmental entity. See 28 U.S.C. § 1915A(a). In its review, the court must identify any 19
cognizable claims and dismiss any claims that are frivolous, malicious, fail to state a claim 20
upon which relief may be granted or seek monetary relief from a defendant who is immune 21
from such relief. See *id.* § 1915A(b)(1), (2). Pro se pleadings must be liberally construed. 22 See
Balistreri v. Pacifica Police Dep't, 901 F.2d 696, 699 (9th Cir. 1988). 23 A “complaint must
contain sufficient factual matter, accepted as true, to ‘state a 24 claim to relief that is plausible on
its face.’” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) 25 (quoting *Bell Atlantic Corp. v. Twombly*,
550 U.S. 544, 570 (2007)). “A claim has facial 26 plausibility when the plaintiff pleads factual
content that allows the court to draw the 27 1 *Twombly*, 550 U.S. at 556). Furthermore, a court “is
not required to accept legal 2 conclusions cast in the form of factual allegations if those
conclusions cannot reasonably 3 be drawn from the facts alleged.” *Clegg v. Cult Awareness
Network*, 18 F.3d 752, 754–55 4 (9th Cir. 1994). 5 To state a claim under 42 U.S.C. § 1983, a
plaintiff must allege two essential 6 elements: (1) that a right secured by the Constitution or laws
of the United States was 7 violated, and (2) that the alleged violation was committed by a person
acting under the 8 color of state law. See *West v. Atkins*, 487 U.S. 42, 48 (1988). 9 B. Legal
Claims 10 Sabir’s statement of his claim reads in full as follows: “I was extracted from cell 11 and
thrown in safety cell (isolation chamber) stripped nude in the prescence [sic] of 12 women while
being filmed in the prescence [sic] of female staff i.e. nurses female 13 deputies and civilian
personnel and exploited without consent.” (Compl., Dkt. No. 1 at 2- 14 3.) 15 “A person deprives
another ‘of a constitutional right,’ within the meaning of 16 section 1983, if he does an affirmative
act, participates in another’s affirmative acts, or 17 omits to perform an act which he is legally
required to do that causes the deprivation of 18 which [the plaintiff complains].” *Leer v. Murphy*,
844 F.2d 628, 633 (9th Cir. 1988) 19 (quoting *Johnson v. Duffy*, 588 F.2d 740, 743 (9th Cir.
1978)). The inquiry into causation 20 is individualized and focuses on the duties and
responsibilities of each individual 21 defendant whose acts or omissions are alleged to have
caused a constitutional deprivation. 22 *Id.* Defendants cannot be held liable for a constitutional
violation under 42 U.S.C. § 1983 23 unless they were integral participants in the unlawful
conduct. *Keates v. Koile*, 883 F.3d 24 1228, 1241 (9th Cir. 2018). 25 Sabir’s allegations fail to
state a claim for relief. He has not provided sufficient 26 factual information, such as the date on
which this occurred, the persons who committed 27 these acts (the only defendant he names is the
San Francisco Sheriff’s Office), and what 1 allege specific facts tying each specific person to the
exact wrong. 2 Further, supervisory defendants are not responsible simply because they are 3

supervisors. There is no respondeat superior liability under § 1983. *Taylor v. List*, 880 F.2d 1040, 1045 (9th Cir. 1989). It is not enough that the supervisor merely has a supervisory relationship over the defendants; the plaintiff must show that the supervisor “participated in or directed the violations, or knew of the violations and failed to act to prevent them.” *Id.* And supervisor defendants are entitled to qualified immunity where the allegations against them are simply “bald” or “conclusory” because such allegations do not “plausibly” establish the supervisors’ personal involvement in their subordinates’ constitutional wrong. *Iqbal*, 556 U.S. at 675-82. Sabir’s naming of the San Francisco Sheriff’s Department as a defendant without adequate facts showing liability is insufficient. The complaint is DISMISSED with leave to amend.

14 CONCLUSION

The complaint is DISMISSED with leave to file a first amended complaint on or before March 2, 2026. The amended complaint must include the caption and civil case number used in this order (25-06662 WHO (PR)) and the words FIRST AMENDED COMPLAINT must be written on the first page. The amended complaint must also appear on this Court’s form, a copy of which will be sent to him. Because an amended complaint completely replaces the previous complaints, plaintiff must include in his first amended complaint all the claims he wishes to present and all of the defendants he wishes to sue. See *Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir. 1992). He may not incorporate material from the prior complaint by reference. Failure to file a proper amended complaint by March 2, 2026 may result in dismissal of this action under Federal Rule of Civil

Procedure 41(b) for failure to prosecute.

Sabir has filed several lawsuits. Many of them are subject to dismissal because mail sent by the Court to Sabir has been returned as undeliverable, Sabir having failed to file a change of address notice in each of his cases, or they likely will be dismissed under Federal Rule of Civil Procedure 41(b) for failure to prosecute. Because Sabir has paid the filing fee, his motion to proceed in forma pauperis is DENIED as moot. (Dkt. No. 2.) The Clerk shall terminate all pending motions. IT IS SO ORDERED. Dated: January 21, 2026. f CE □

LLIAM H. ORRICK

United States District Judge