

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

In re CIM-SQ Transfer Cases

No. 5:20-cv-06326-EJD (N.D. Cal. May 22, 2025) · No. 5:20-cv-06326-EJD · Decided May 22, 2025

SUMMARY

The court screened a pro se prisoner civil-rights complaint alleging that the transfer of COVID-19-infected inmates from California Institution for Men to San Quentin State Prison exposed the plaintiff to COVID-19 and violated the Eighth Amendment. The court found a plausible deliberate-indifference claim against former CDCR secretaries Ralph Diaz and K. Allison, dismissed the claims against the other named defendants, and ordered service on Diaz and Allison. The case remains stayed for purposes other than service.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Edward J. Davila
JURISDICTION	United States District Court for the Northern District of California
DECIDED	May 22, 2025
DOCKET	5:20-cv-06326-EJD
DISPOSITION	other
PROCEDURAL POSTURE	Order screening a pro se prisoner civil-rights complaint under 28 U.S.C. § 1915A(a), dismissing claims against two defendants, ordering service on two other defendants, and staying the consolidated matter for all purposes other than service.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A, the court must identify cognizable claims or dismiss the complaint, or any portion of it, if the complaint is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant. Pro se pleadings are liberally construed, and the complaint must contain enough factual matter to state a plausible claim for relief.
PRECEDENTIAL VALUE	unpublished district court order; precedential status unknown

TOPICS

- prisoners rights
- section 1983
- cruel and unusual punishment
- pleadings
- civil procedure

PRACTICE AREAS

prisoner civil rights

constitutional law

federal civil procedure

COVID-19 litigation

QUESTIONS PRESENTED

1. Whether the complaint stated a plausible Eighth Amendment deliberate-indifference claim against Ralph Diaz and K. Allison.
2. Whether the claims against Raul Moralez and Dr. Cook should be dismissed because the complaint made no claims against those defendants.
3. Whether service should proceed on the defendants against whom a plausible claim was stated while the consolidated case remained stayed for other purposes.

HOLDINGS

1. Liberally construed, the complaint stated a plausible claim that former CDCR secretaries Ralph Diaz and K. Allison were deliberately indifferent to plaintiff's safety in violation of the Eighth Amendment.
2. The claims against Raul Moralez and Dr. Cook were dismissed because the complaint made no claims against them.
3. Service of the complaint was ordered on Ralph Diaz and K. Allison through the CDCR e-service program, with USMS service to follow for any defendant who did not waive service.

KEY QUOTATIONS

“The Court must identify cognizable claims or dismiss the complaint, or any portion of the complaint, if it “is frivolous, malicious, or fails to state a claim upon which relief may be granted,” or “seeks monetary relief from a defendant who is immune from such relief.”” (at 1)

“Liberally construed, plaintiff’s allegations state a plausible claim for deliberate indifference to plaintiff’s safety, in violation of the Eighth Amendment, against former CDCR secretaries Ralph Diaz and K. Allison.” (at 2)

FACTUAL BACKGROUND

Plaintiff was incarcerated at San Quentin State Prison in 2020 when inmates transferred from the California Institution for Men, some of whom were infected with COVID-19, were brought to his housing area. Plaintiff tested negative in May 2020, requested relocation because of high-risk medical needs, and contracted COVID-19 on July 20, 2020. He alleged that the transfer and related institutional measures violated his Eighth Amendment rights.

PROCEDURAL HISTORY

A California prisoner initially filed a letter that the court construed as an attempt to commence a pro se civil-rights action and later filed a complaint. The action was consolidated with related prisoner cases concerning the 2020 transfer of inmates from the California Institution for Men to San Quentin State Prison. The court screened the complaint, found a plausible Eighth Amendment deliberate-indifference claim against Ralph Diaz and K.

Allison, dismissed the claims against Raul Moralez and Dr. Cook, ordered service, and continued the stay for all other purposes.

DISPOSITION

other

CASES CITED

- *Balistreri v. Pacifica Police Department*, 901 F.2d 696, 699 (9th Cir. 1990)
- *Erickson v. Pardus*, 127 S. Ct. 2197, 2200 (2007)
- *Bell Atlantic Corp. v. Twombly*, 127 S. Ct. 1955, 1964-65, 1974 (2007)
- *West v. Atkins*, 487 U.S. 42, 48 (1988)
- *Leadsinger, Inc. v. BMG Music Publishing*, 512 F.3d 522, 532 (9th Cir. 2008)
- *Farmer v. Brennan*, 511 U.S. 825, 837 (1994)

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