

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Daniel C. Ramsey v. C. Stanback, et al.

Ramsey v. Stanback · No. 2:25-cv-2930-JDP (P) · Decided October 22, 2025

OPINION

Stanback

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 DANIEL C. RAMSEY, Case No. 2:25-cv-2930-JDP (P) 12 Plaintiff, 13 v. ORDER 14 C.
STANBACK, et al., 15 Defendants. 16 17 18 Plaintiff brings this action against High Desert State
Prison correctional officer C. 19 Stanback and warden R. St. Andre. The complaint contains two
unrelated claims. I will dismiss 20 the complaint with leave to amend and give plaintiff an
opportunity to remedy this deficiency. 21 Plaintiff also filed an application to proceed in forma
pauperis, which makes the required 22 showing and is granted. 23 Screening and Pleading
Requirements 24 A federal court must screen the complaint of any claimant seeking permission to
proceed 25 in forma pauperis. See 28 U.S.C. § 1915(e). The court must identify any cognizable
claims and 26 dismiss any portion of the complaint that is frivolous or malicious, fails to state a
claim upon 27 28 1 which relief may be granted, or seeks monetary relief from a defendant who is
immune from such 2 relief. Id. 3 A complaint must contain a short and plain statement that
plaintiff is entitled to relief, 4 Fed. R. Civ. P. 8(a)(2), and provide “enough facts to state a claim to
relief that is plausible on its 5 face,” Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007). The
plausibility standard does not 6 require detailed allegations, but legal conclusions do not suffice.
See Ashcroft v. Iqbal, 556 U.S. 7 662, 678 (2009). If the allegations “do not permit the court to
infer more than the mere 8 possibility of misconduct,” the complaint states no claim. Id. at 679.
The complaint need not 9 identify “a precise legal theory.” Kobold v. Good Samaritan Reg’l Med.
Ctr., 832 F.3d 1024, 10 1038 (9th Cir. 2016). Instead, what plaintiff must state is a “claim”—a set
of “allegations that 11 give rise to an enforceable right to relief.” Nagrampa v. MailCoups, Inc.,
469 F.3d 1257, 1264 12 n.2 (9th Cir. 2006) (en banc) (citations omitted). 13 The court must
construe a pro se litigant’s complaint liberally. See Haines v. Kerner, 404 14 U.S. 519, 520 (1972)
(per curiam). The court may dismiss a pro se litigant’s complaint “if it 15 appears beyond doubt
that the plaintiff can prove no set of facts in support of his claim which 16 would entitle him to
relief.” Hayes v. Idaho Corr. Ctr., 849 F.3d 1204, 1208 (9th Cir. 2017). 17 However, ““a liberal
interpretation of a civil rights complaint may not supply essential elements 18 of the claim that

were not initially pled.” *Bruns v. Nat’l Credit Union Admin.*, 122 F.3d 1251, 19 1257 (9th Cir. 1997) (quoting *Ivey v. Bd. of Regents*, 673 F.2d 266, 268 (9th Cir. 1982)). 20 Analysis 21 The complaint contains allegations about two separate events. The first incident took 22 place in September 2024. ECF No. 1 at 3. Defendant officer Stanback was responsible for 23 ensuring that plaintiff’s cell was properly cleaned daily because plaintiff is a disabled inmate who 24 is unable to clean his cell. *Id.* Plaintiff alleges that on the occasions Stanback did have the cell 25 cleaned, the cleaning job was substandard. *Id.* Plaintiff alleges that Stanback’s actions violate 26 the Eighth Amendment. *Id.* In an unrelated claim, plaintiff claims that in December 2024 he 27 received videos and pictures from his family on this tablet, but that an unknown correctional 28 officer removed the videos and pictures from his tablet. *Id.* at 4. Plaintiff alleges that defendant 1 | warden St. Andre is responsible for ensuring that all mail is delivered to prisoners and not 2 | improperly removed. /d. Plaintiff alleges that St. Andre violated his First Amendment rights. *Id.* 3 Plaintiffs claims against defendants Stanback and St. Andre cannot proceed together. 4 | Multiple, unrelated claims against more than one defendant belong in separate suits. See *George 5 | v. Smith*, 507 F.3d 605, 607 (7th Cir. 2007). Plaintiff may file an amended complaint that 6 | addresses this concern. He is advised that the amended complaint will supersede the current 7 | complaint. See *Lacey v. Maricopa Cnty*, 693 F.3d 896, 907 n.1 (9th Cir. 2012) (en banc). The 8 | amended complaint should be titled “First Amended Complaint” and refer to the appropriate case 9 | number. 10 Accordingly, it is ORDERED that: 11 1. Plaintiffs complaint, ECF No. 1, is DISMISSED with leave to amend. 12 2. Plaintiffs application to proceed in forma pauperis, ECF No. 2 is GRANTED. 13 3. Within thirty days from service of this order, plaintiff shall file either (1) an amended 14 | complaint or (2) notice of voluntary dismissal of this action without prejudice. 15 4. Failure to timely file either an amended complaint or notice of voluntary dismissal may 16 result in the imposition of sanctions, including a recommendation that this action be dismissed 17 || with prejudice pursuant to Federal Rule of Civil Procedure 41(b). 18 5. The Clerk of Court shall send plaintiff a complaint form with this order. 19 20 IT IS SO ORDERED. Dated: _ October 22, 2025 Q_——_

22 JEREMY D., PETERSON

54 UNITED STATES MAGISTRATE JUDGE

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