

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Lanier v. Doerer

Lanier · No. 1:24-cv-01178 GSA (PC) · Decided June 11, 2025

SUMMARY

The United States District Court for the Eastern District of California recommends summary dismissal of Kareem Lanier’s Bivens action for failure to exhaust administrative remedies under the Prison Litigation Reform Act. The magistrate judge concludes that Plaintiff admitted he had not exhausted his remedies, failed to establish an applicable exception under *Ross v. Blake*, and did not respond to the order to show cause.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Gary S. Austin
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 11, 2025
DOCKET	1:24-cv-01178 GSA (PC)
DISPOSITION	other
PROCEDURAL POSTURE	A pro se federal inmate brought a Bivens civil-rights action. The magistrate judge issued findings and recommendations recommending summary dismissal for failure to exhaust administrative remedies under the Prison Litigation Reform Act, subject to review by a district judge after objections.
STANDARD OF REVIEW	The magistrate judge reviewed the pleadings to determine whether the action should be summarily dismissed for failure to exhaust administrative remedies before filing suit.
PRECEDENTIAL VALUE	Nonprecedential magistrate judge findings and recommendations; no reporter citation or precedential designation appears in the source.

TOPICS

- prisoners rights
- civil rights
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the action should be summarily dismissed because plaintiff failed to exhaust available administrative remedies before filing suit.
2. Whether plaintiff's asserted inability to access remedies constituted an exception to the PLRA exhaustion requirement under *Ross v. Blake*.

HOLDINGS

1. A prisoner may not bring an action concerning prison conditions in federal court before exhausting available administrative remedies as required by 42 U.S.C. § 1997e(a).
2. Plaintiff's allegations that he was cut off from the world and that remedies were deliberately withheld did not establish an applicable exception to the exhaustion requirement under *Ross v. Blake*.

KEY QUOTATIONS

"The PLRA requires that a prisoner exhaust administrative remedies before submitting any papers to the federal courts." (at 3)

"For these reasons, the undersigned shall recommend that this matter be summarily dismissed for failure to exhaust administrative remedies." (at 4)

FACTUAL BACKGROUND

Plaintiff, a federal inmate proceeding pro se and in forma pauperis, alleged constitutional violations arising from an alleged period of restrictive confinement between August 9, 2024, and October 9, 2024. In his first amended complaint, he stated that he had not exhausted available administrative remedies, while asserting that he had been cut off from the world and that remedies had been withheld. Plaintiff did not respond to the court's order to show cause regarding exhaustion.

PROCEDURAL HISTORY

The plaintiff was originally included in a multi-inmate complaint that was severed into a separate civil action. After filing a separate complaint and later a first amended complaint, plaintiff expressly indicated that he had not exhausted administrative remedies. The court issued an order to show cause, but plaintiff did not respond. The magistrate judge therefore recommended summary dismissal and directed that a district judge be randomly assigned.

DISPOSITION

other

CASES CITED

- *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971)

- Vaden v. Summerhill, 449 F.3d 1047, 1048 (9th Cir. 2006)
- Ross v. Blake, 578 U.S. 632 (2016)
- Wilkerson v. Wheeler, 772 F.3d 834, 839 (9th Cir. 2014)
- Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991)

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