

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

Jacob Nathaniel Vanderweken v. Ty Davis; Deputy Warden Martinez; C/O Vaughn; VSC Tomlinson; C/O Somers; and VSC Borosso

Vanderweken v. Davis · No. 1:25-cv-00305-BLW · Decided December 5, 2025

SUMMARY

The United States District Court for the District of Idaho screened Plaintiff Jacob Nathaniel Vanderweken’s amended civil rights complaint under 28 U.S.C. §§ 1915 and 1915A. The court denied appointed counsel, found that the amended complaint failed to plausibly state an Eighth Amendment claim against a correctional officer, and dismissed the case with prejudice without further leave to amend.

CASE DETAILS

COURT	United States District Court for the District of Idaho
JURISDICTION	United States District Court for the District of Idaho
DECIDED	December 5, 2025
DOCKET	1:25-cv-00305-BLW
DISPOSITION	dismissed
PROCEDURAL POSTURE	Successive screening of a prisoner's amended civil-rights complaint under 28 U.S.C. §§ 1915(e)(2) and 1915A.
STANDARD OF REVIEW	The court applied de novo screening under 28 U.S.C. §§ 1915(e)(2) and 1915A, accepting well-pleaded factual allegations as true and asking whether they plausibly stated a claim under Federal Rule of Civil Procedure 8(a)(2).
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- section 1983
- prisoners rights
- civil rights
- pleadings
- motion to amend

PRACTICE AREAS

- civil rights
- prisoner civil rights
- federal civil procedure

QUESTIONS PRESENTED

1. Whether Plaintiff's amended complaint plausibly stated an Eighth Amendment claim against Defendant Vaughn.
2. Whether the court should appoint counsel for Plaintiff in this civil action.
3. Whether the action should be dismissed with prejudice after Plaintiff failed to cure the deficiencies identified in the initial screening order.

HOLDINGS

1. Appointment of counsel is discretionary and warranted only in exceptional circumstances, evaluated by considering the likelihood of success on the merits together with the plaintiff's ability to articulate the claims in light of their complexity. No exceptional circumstances existed because the claims were not legally complex, Plaintiff had adequately presented his interests, and the amended complaint lacked merit.
2. The amended complaint failed to state a plausible Eighth Amendment claim because alleging that Vaughn saw Plaintiff limping and told him to walk faster did not plausibly establish that Vaughn was aware of facts indicating a substantial risk of serious harm and actually drew that inference.
3. The court was required to dismiss the amended complaint because it failed to state a claim upon which relief could be granted, and dismissal with prejudice without further leave to amend was appropriate after Plaintiff had already received an opportunity to amend and failed to cure the defect.

KEY QUOTATIONS

“The Amended Complaint does not plausibly allege that Defendant Vaughn acted with deliberate indifference to a substantial risk of serious harm in telling Plaintiff to walk faster.” (Section 3)

“Because Plaintiff has already been given the opportunity to amend and still has failed to state a plausible claim for relief, the Court will dismiss the Amended Complaint with prejudice and without further leave to amend.” (Section 4)

FACTUAL BACKGROUND

In March 2025, Plaintiff, a prisoner, was walking slowly to breakfast because of an injured ankle. Correctional Officer Vaughn observed Plaintiff limping but told him to walk faster. Plaintiff alleged that this caused ankle pain and emotional distress, but did not allege facts showing that Vaughn actually knew of and drew the inference that Plaintiff faced a substantial risk of serious harm.

PROCEDURAL HISTORY

The court previously screened Plaintiff's original complaint, found that it failed to state a claim, and allowed Plaintiff an opportunity to amend. Plaintiff filed motions to appoint counsel, review the amended complaint, and amend the complaint; the amended complaint retained only an Eighth Amendment claim against Defendant Vaughn. On successive review, the court found that the amended complaint still failed to state a claim and dismissed the action with prejudice without further leave to amend.

DISPOSITION

dismissed

CASES CITED

- *Lassiter v. Department of Social Services*, 452 U.S. 18, 25 (1981)
- *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986)
- *Terrell v. Brewer*, 935 F.2d 1015, 1017 (9th Cir. 1991)
- *Mallard v. U.S. District Court for the Southern District of Iowa*, 490 U.S. 296, 298 (1989)
- *Veenstra v. Idaho State Board of Corrections*, Case No. 1:15-cv-00270-EJL (D. Idaho May 4, 2017)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Crumpton v. Gates*, 947 F.2d 1418, 1420 (9th Cir. 1991)
- *Farmer v. Brennan*, 511 U.S. 825, 837 (1994)
- *Ivey v. Board of Regents of University of Alaska*, 673 F.2d 266, 268 (9th Cir. 1982)
- *Knapp v. Hogan*, 738 F.3d 1106, 1110 (9th Cir. 2013)

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