

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Dunbar v. Coffman

No. 24-cv-08898-AMO (PR), Order of Partial Dismissal with Leave to Amend; and Serving Cognizable Claim
(N.D. Cal. June 17, 2025) · No. 24-cv-08898-AMO (PR) · Decided June 17, 2025

SUMMARY

The United States District Court for the Northern District of California screened Eddie Dunbar’s prisoner civil-rights complaint under 28 U.S.C. § 1915A. The court found a cognizable Eighth Amendment conditions-of-confinement claim against K. Coffman, J. Sweet, and L. Deters based on the plaintiff’s placement on contraband watch, while dismissing the Fourteenth Amendment due-process and First Amendment claims with leave to amend. The court ordered service of the cognizable claim and set deadlines and procedures for amendment, dispositive motions, discovery, and service.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Araceli Martinez-Olguin
JURISDICTION	United States District Court for the Northern District of California
DECIDED	June 17, 2025
DOCKET	24-cv-08898-AMO (PR)
DISPOSITION	other
PROCEDURAL POSTURE	Initial screening of a pro se state-prisoner complaint under 28 U.S.C. § 1915A.
STANDARD OF REVIEW	The court conducted mandatory preliminary screening under 28 U.S.C. § 1915A, accepting the complaint's factual allegations as true and liberally construing the pro se pleading to determine whether it stated cognizable claims.
PRECEDENTIAL VALUE	unpublished and nonprecedential district-court order
PARTIES	Eddie Dunbar v. K. Coffman, J. Sweet, L. Deters

TOPICS

- section 1983
- prisoners rights
- cruel and unusual punishment
- first amendment
- procedural due process

PRACTICE AREAS

civil rights

prisoner litigation

constitutional law

civil procedure

remedies

QUESTIONS PRESENTED

1. Whether Dunbar's allegations concerning the conditions of his confinement on contraband watch stated a cognizable Eighth Amendment claim.
2. Whether Dunbar stated a Fourteenth Amendment due-process claim based on his placement on contraband watch when no disciplinary violation was issued.
3. Whether Dunbar stated a First Amendment retaliation claim based on alleged harassment and contraband-watch conduct.
4. Whether Dunbar stated a First Amendment free-exercise claim based on being required to break his Ramadan fast during contraband watch.
5. Whether the cognizable claim should proceed to service and whether the deficient claims should be dismissed with leave to amend.

HOLDINGS

1. Liberally construed, Dunbar's allegations that he was confined under degrading and restrictive contraband-watch conditions, including having clothing taped to his body, being handcuffed while defecating in front of officials, and having his confinement prolonged when officials rejected fecal matter, stated a cognizable Eighth Amendment claim against Coffman, Sweet, and Deters.
2. Dunbar failed to state a Fourteenth Amendment due-process claim because he alleged no disciplinary violation and did not identify a deprivation triggering the procedural protections applicable to prison disciplinary proceedings; the claim was dismissed with leave to amend.
3. Dunbar failed to state a First Amendment retaliation claim because his allegations were conclusory and did not show that Sweet's conduct was taken because of protected activity, chilled his exercise of First Amendment rights, or lacked a legitimate correctional purpose; the claim was dismissed with leave to amend.
4. Dunbar failed to state a cognizable free-exercise claim because he did not identify a named defendant who denied his religious rights and did not adequately allege that the conduct substantially burdened a religious mandate without a reasonable relationship to legitimate penological interests; the claim was dismissed with leave to amend.
5. Section 1983 liability requires a constitutional deprivation caused by an individual acting under color of state law, and supervisory liability requires personal involvement or a sufficient causal connection; respondeat superior liability is unavailable.

KEY QUOTATIONS

"A federal court must conduct a preliminary screening in any case in which a prisoner seeks redress from a governmental entity or officer or employee of a governmental entity." (at 2)

“The Constitution does not mandate comfortable prisons, but neither does it permit inhumane ones.” (at 4)

“Within the prison context, a viable claim of First Amendment retaliation entails five basic elements: (1) An assertion that a state actor took some adverse action against an inmate (2) because of (3) that prisoner’s protected conduct, and that such action (4) chilled the inmate’s exercise of his First Amendment rights, and (5) the action did not reasonably advance a legitimate correctional goal.” (at 7)

FACTUAL BACKGROUND

Dunbar, a California state prisoner, alleged that while being released from administrative segregation at Pelican Bay State Prison, Officer Coffman accused him of concealing drugs in his intestines based on an alleged x-ray. Coffman and Lieutenant Sweet allegedly threatened to return him to segregation and use force, after which Dunbar was placed on contraband watch for two or three days in a small cell, with clothing taped to his body and restrictions on when he could leave the cell. During the watch, officials allegedly required him to consume food despite his Ramadan fast, forced him to defecate while handcuffed and observed by officials, and sometimes rejected the fecal matter as insufficient, prolonging the confinement. A later examination allegedly found no drugs or contraband, and no disciplinary violation was issued.

PROCEDURAL HISTORY

Eddie Dunbar filed a pro se action under 42 U.S.C. § 1983 seeking monetary and punitive damages for alleged constitutional violations at Pelican Bay State Prison. On initial review, the court found an Eighth Amendment conditions-of-confinement claim cognizable against Coffman, Sweet, and Deters, dismissed the Fourteenth Amendment due-process claim and First Amendment retaliation and free-exercise claims with leave to amend, and directed service of the cognizable claim.

DISPOSITION

other

CASES CITED

- *Balistreri v. Pacifica Police Department*, 901 F.2d 696, 699 (9th Cir. 1988)
- *West v. Atkins*, 487 U.S. 42, 48 (1988)
- *Leer v. Murphy*, 844 F.2d 628, 633-34 (9th Cir. 1988)
- *Harris v. City of Roseburg*, 664 F.2d 1121, 1125 (9th Cir. 1981)
- *Robins v. Meecham*, 60 F.3d 1436, 1442 (9th Cir. 1995)
- *Redman v. County of San Diego*, 942 F.2d 1435, 1446 (9th Cir. 1991) (en banc)
- *Taylor v. List*, 880 F.2d 1040, 1045 (9th Cir. 1989)
- *Preschooler II v. Clark County School Board of Trustees*, 479 F.3d 1175, 1183 (9th Cir. 2007)
- *McHenry v. Renne*, 84 F.3d 1172, 1179 (9th Cir. 1996)
- *Erickson v. Pardus*, 551 U.S. 89, 93-94 (2007)
- *Hutchinson v. United States*, 677 F.2d 1322, 1328 n.5 (9th Cir. 1982)

- Farmer v. Brennan, 511 U.S. 825, 832, 834, 837 (1994)
- Wilson v. Seiter, 501 U.S. 294, 297-98, 302-03 (1991)
- Sandin v. Conner, 515 U.S. 472, 484, 487 (1995)
- Wolff v. McDonnell, 418 U.S. 539, 564-67 (1974)
- Superintendent v. Hill, 472 U.S. 445, 454 (1985)
- Walker v. Sumner, 14 F.3d 1415, 1419-20 (9th Cir. 1994)
- Bruce v. Ylst, 351 F.3d 1283, 1288 (9th Cir. 2003)
- Schroeder v. McDonald, 55 F.3d 454, 461 (9th Cir. 1995)
- Rhodes v. Robinson, 408 F.3d 559, 567-68 (9th Cir. 2005)
- Freeman v. Arpaio, 125 F.3d 732, 736-37 (9th Cir. 1997)
- Graham v. C.I.R., 822 F.2d 844, 851 (9th Cir. 1987)
- Peterson v. Minidoka County School District, 118 F.3d 1351, 1357 (9th Cir. 1997)
- O'Lone v. Estate of Shabazz, 482 U.S. 342, 349 (1987)
- Mayweathers v. Newland, 258 F.3d 930, 937-38 (9th Cir. 2001)
- Ferdik v. Bonzelet, 963 F.2d 1258, 1262 (9th Cir. 1992)
- Woods v. Carey, 684 F.3d 934, 935 (9th Cir. 2012)
- Albino v. Baca, 747 F.3d 1162, 1166, 1168 (9th Cir. 2014) (en banc)
- Wyatt v. Terhune, 315 F.3d 1108, 1119 (9th Cir. 2003)
- Rand v. Rowland, 154 F.3d 952, 962-63 (9th Cir. 1998) (en banc)