

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Jesse M. Ventura v. CDCR, Guzman and Roberts

Ventura · No. 26cv0223-LL (DEB) · Decided February 5, 2026

SUMMARY

The United States District Court for the Southern District of California grants Jesse M. Ventura leave to proceed in forma pauperis but declines to assess an initial partial filing fee due to insufficient funds. The court dismisses his complaint without prejudice for failure to state a federal claim, declines supplemental jurisdiction over his state-law claims, and grants 45 days to amend.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Linda Lopez
JURISDICTION	United States District Court for the Southern District of California
DECIDED	February 5, 2026
DOCKET	26cv0223-LL (DEB)
DISPOSITION	other
PROCEDURAL POSTURE	A state prisoner proceeding pro se filed a civil-rights complaint under 42 U.S.C. § 1983 and moved to proceed in forma pauperis. The district court granted IFP status, screened the complaint under 28 U.S.C. §§ 1915(e)(2) and 1915A(b), dismissed all claims without prejudice for failure to state a claim, and granted leave to amend.
STANDARD OF REVIEW	De novo screening under 28 U.S.C. §§ 1915(e)(2) and 1915A(b), applying the Federal Rule of Civil Procedure 12(b)(6) failure-to-state-a-claim standard. The complaint must contain sufficient factual matter, accepted as true, to state a plausible claim for relief.
PRECEDENTIAL VALUE	Unknown; district court screening order with no reporter citation.
PARTIES	Jesse M. Ventura v. CDCR, Guzman, Roberts

TOPICS

- prisoners rights
- section 1983
- civil rights
- civil procedure
- negligence

PRACTICE AREAS

civil rights

prisoner litigation

civil procedure

constitutional law

torts

QUESTIONS PRESENTED

1. Whether Ventura should be granted leave to proceed in forma pauperis despite insufficient funds to pay the initial partial filing fee.
2. Whether the complaint plausibly stated an Eighth Amendment deliberate-indifference claim under 42 U.S.C. § 1983.
3. Whether CDCR and Warden Guzman could be held liable under § 1983 based on the alleged conduct of Roberts.
4. Whether the court should exercise supplemental jurisdiction over Ventura's state-law claims after dismissing all federal claims.
5. Whether Ventura should receive leave to amend.

HOLDINGS

1. The court granted Ventura leave to proceed in forma pauperis and declined to assess the initial partial filing fee because his available funds were insufficient, while preserving his obligation to pay the remaining filing fee through installments.
2. The complaint failed to plausibly allege deliberate indifference because negligence in operating the motorized cart, without facts showing that Roberts knew of and disregarded a substantial risk of serious harm, is insufficient to state an Eighth Amendment claim.
3. The complaint failed to state a § 1983 claim against Guzman because it did not allege his personal involvement or a sufficient causal connection, and it failed to state a claim against CDCR because CDCR is not a person for purposes of § 1983 and is immune from the asserted private damages and injunctive-relief claims.
4. The court declined to exercise supplemental jurisdiction over Ventura's state-law claims because all claims within the court's original jurisdiction had been dismissed.
5. The court dismissed the complaint without prejudice and granted Ventura forty-five days to file an amended complaint curing the identified deficiencies.

KEY QUOTATIONS

“The standard for determining whether a plaintiff has failed to state a claim upon which relief can be granted under § 1915(e)(2)(B)(ii) is the same as the Federal Rule of Civil Procedure 12(b)(6) standard for failure to state a claim.” (at 3)

“If Plaintiff wishes to proceed with an Eighth Amendment claim against Defendant Roberts, he must plausibly allege Roberts was aware of facts from which he could have inferred that his use of the motorized cart presented a substantial risk to Plaintiff, actually drew such an inference, and failed to act to prevent the injury.” (at 5)

“DISMISSES all claims against all Defendants in the Complaint without prejudice and with leave to amend pursuant to 28 U.S.C. §§ 1915(e)(2) & 1915A(b).” (at 7)

FACTUAL BACKGROUND

On January 26, 2024, Ventura underwent reconstructive surgery on his left knee. On February 23, 2024, while his leg was immobilized in a brace and he was restrained, Officer Roberts allegedly accelerated a motorized cart in a tight space, causing Ventura's foot to catch under an elevated trash can and twisting his knee and foot. Ventura alleged continuing pain, delayed recovery and physical therapy, and additional medical treatment, but alleged negligence rather than facts showing that Roberts knew of and disregarded a substantial risk of serious harm.

PROCEDURAL HISTORY

Ventura alleged that a correctional officer negligently operated a motorized cart, injuring his surgically repaired knee and foot, and asserted state-law negligence and related claims. The court found that the complaint did not plausibly allege a federal constitutional violation, declined supplemental jurisdiction over the state-law claims, dismissed the complaint without prejudice, and allowed forty-five days to amend.

DISPOSITION

other

CASES CITED

- Andrews v. Cervantes, 493 F.3d 1047, 1051 (9th Cir. 2007)
- Andrews v. King, 398 F.3d 1113, 1119 (9th Cir. 2005)
- Bruce v. Samuels, 577 U.S. 82, 84 (2016)
- Taylor v. Delatoore, 281 F.3d 844, 850 (9th Cir. 2002)
- Lopez v. Smith, 203 F.3d 1122, 1126-27 (9th Cir. 2000) (en banc)
- Rhodes v. Robinson, 621 F.3d 1002, 1004 (9th Cir. 2010)
- Nordstrom v. Ryan, 762 F.3d 903, 920 n.1 (9th Cir. 2014)
- Watison v. Carter, 668 F.3d 1108, 1112 (9th Cir. 2012)
- Wilhelm v. Rotman, 680 F.3d 1113, 1121, 1123 (9th Cir. 2012)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Devereaux v. Abbey, 263 F.3d 1070, 1074 (9th Cir. 2001)
- Graham v. Connor, 490 U.S. 386, 393-94 (1989)
- Estelle v. Gamble, 429 U.S. 97, 104 (1976)
- Farmer v. Brennan, 511 U.S. 825, 834-37 (1994)
- Daniels v. Williams, 474 U.S. 327, 332 (1986)
- Wilson v. Seiter, 501 U.S. 294, 298, 302-03 (1991)

- Doty v. County of Lassen, 37 F.3d 540, 546 n.3 (9th Cir. 1994)
- Jett v. Penner, 439 F.3d 1091, 1096 (9th Cir. 2006)
- Jones v. Williams, 297 F.3d 930, 934 (9th Cir. 2002)
- Leer v. Murphy, 844 F.2d 628, 634 (9th Cir. 1988)
- Lemire v. California Department of Corrections & Rehabilitation, 726 F.3d 1062, 1074-75 (9th Cir. 2013)
- Brown v. California Department of Corrections, 554 F.3d 747, 752 (9th Cir. 2009)
- Sanford v. MemberWorks, Inc., 625 F.3d 550, 561 (9th Cir. 2010)
- Rosati v. Igbinoso, 791 F.3d 1037, 1039 (9th Cir. 2015)
- Akhtar v. Mesa, 698 F.3d 1202, 1212 (9th Cir. 2012)
- Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc., 896 F.2d 1542, 1546 (9th Cir. 1990)
- Lacey v. Maricopa County, 693 F.3d 896
- Lira v. Herrera, 427 F.3d 1164, 1169 (9th Cir. 2005)

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