

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Holmes v. Dawling

Holmes · No. 1:25-cv-00892-KES-EPG (PC) · Decided November 21, 2025

SUMMARY

The United States District Court for the Eastern District of California screened Terrel Holmes’s pro se prisoner civil-rights complaint under 42 U.S.C. § 1983. The court determined that Holmes sufficiently stated an Eighth Amendment excessive-force claim against Defendant Dawling based on allegations that Dawling intentionally slammed Holmes’s hand. The action was allowed to proceed past screening, with service of process to follow.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	November 21, 2025
DOCKET	1:25-cv-00892-KES-EPG (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Prisoner civil-rights action under 42 U.S.C. § 1983; the court screened the complaint under the Prison Litigation Reform Act and determined that the excessive-force claim could proceed.
STANDARD OF REVIEW	The court screened the prisoner complaint under 28 U.S.C. §§ 1915A and 1915(e)(2), dismissing claims that are frivolous, malicious, fail to state a claim, or seek monetary relief from an immune defendant. Pro se pleadings were liberally construed.
PRECEDENTIAL VALUE	unpublished district court screening order
PARTIES	Terrel Holmes v. Dawling

TOPICS

- prisoners rights
- cruel and unusual punishment
- section 1983
- pleadings
- civil procedure

PRACTICE AREAS

- prisoner civil rights
- constitutional law
- civil procedure

QUESTIONS PRESENTED

1. Whether the complaint should be dismissed at screening under 28 U.S.C. §§ 1915A and 1915(e)(2) for failure to state a claim.
2. Whether the alleged intentional slamming of Plaintiff's hand sufficiently stated an Eighth Amendment excessive-force claim under 42 U.S.C. § 1983.

HOLDINGS

1. The complaint sufficiently stated a claim that Defendant Dawling used excessive force in violation of the Eighth Amendment, and the claim could proceed past screening.
2. The court denied dismissal at the screening stage and allowed Holmes's sole claim against Dawling to proceed.

KEY QUOTATIONS

“With these legal standards in mind, the Court finds that Plaintiff’s complaint sufficiently states a claim for excessive force in violation of the Eighth Amendment against Defendant Dowling to proceed past screening.” (Opinion at 4)

“The Court has screened Plaintiff’s complaint and will allow this action to proceed against Defendant Dawling on Plaintiff’s claim for excessive force, in violation of the Eighth Amendment.” (Opinion at 4)

FACTUAL BACKGROUND

Holmes, a federal prisoner, alleged that on May 1, 2025, Defendant Dawling intentionally slammed Holmes's right hand when Holmes exited his cell to get water. Holmes alleged that Dawling confirmed the act was intentional, that he experienced significant pain and could not sleep that night, and that a nurse examined his injured hand the next day. Holmes sought an apology and \$50,000.

PROCEDURAL HISTORY

Plaintiff filed the complaint on July 22, 2025, and proceeded pro se and in forma pauperis. After screening the complaint, the court allowed the Eighth Amendment excessive-force claim against Defendant Dawling to proceed and stated that it would later issue an order authorizing service of process.

DISPOSITION

other

CASES CITED

- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Graham v. Connor, 490 U.S. 386, 393-94 (1989)
- Baker v. McCollan, 443 U.S. 137, 144 n.3 (1979)
- Chapman v. Houston Welfare Rights Org., 441 U.S. 600, 618 (1979)

- Hall v. City of Los Angeles, 697 F.3d 1059, 1068 (9th Cir. 2012)
- Crowley v. Nevada, 678 F.3d 730, 734 (9th Cir. 2012)
- Anderson v. Warner, 451 F.3d 1063, 1067 (9th Cir. 2006)
- Long v. County of Los Angeles, 442 F.3d 1178, 1185 (9th Cir. 2006)
- Marsh v. County of San Diego, 680 F.3d 1148, 1158 (9th Cir. 2012)
- Preschooler II v. Clark County Sch. Bd. of Trs., 479 F.3d 1175, 1183 (9th Cir. 2007)
- Johnson v. Duffy, 588 F.2d 740, 743 (9th Cir. 1978)
- Arnold v. International Business Machines Corp., 637 F.2d 1350, 1355 (9th Cir. 1981)
- Harper v. City of Los Angeles, 533 F.3d 1010, 1026 (9th Cir. 2008)
- Ashcroft v. Iqbal, 556 U.S. 662, 676-77 (2009)
- Monell v. Department of Social Services of City of New York, 436 U.S. 658, 691, 695 (1978)
- Farmer v. Brennan, 511 U.S. 825, 832 (1994)
- Hudson v. McMillian, 503 U.S. 1, 6-7, 9 (1992)
- Bearchild v. Cobban, 947 F.3d 1130, 1141 (9th Cir. 2020)
- Furnace v. Sullivan, 705 F.3d 1021, 1028 (9th Cir. 2013)