

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Walker v. Adams

No. 24-cv-08901 EJD (PR) (N.D. Cal. May 22, 2025) · No. 24-cv-08901 EJD (PR) · Decided May 22, 2025

SUMMARY

The court screened a pro se 42 U.S.C. § 1983 complaint filed by a civil detainee concerning allegedly punitive housing conditions, disciplinary proceedings, medical care, retaliation, and mental health treatment. It allowed due process and deficient medical care claims against certain defendants to proceed, dismissed a duplicative housing claim and official-capacity damages claims, and dismissed other claims with leave to amend. The order required an amended complaint or notice concerning the deficient claims within 28 days.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Edward J. Davila
JURISDICTION	United States District Court for the Northern District of California
DECIDED	May 22, 2025
DOCKET	24-cv-08901 EJD (PR)
DISPOSITION	other
PROCEDURAL POSTURE	Pro se civil detainee brought an action under 42 U.S.C. § 1983 against county-jail officers and medical staff. The district court conducted screening under 28 U.S.C. § 1915A and ordered partial dismissal, with leave to amend as to deficient claims.
STANDARD OF REVIEW	Screening under 28 U.S.C. § 1915A(a)-(b); the court must identify cognizable claims and dismiss claims that are frivolous, malicious, fail to state a claim, or seek monetary relief from an immune defendant. Pro se pleadings are liberally construed.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Jeffery Walker v. Chief Adams, Captain Quantico, Lt. Rold, Captain Collins, Undersheriff Johnson, Sheriff Miyamoto, Deputy Gray, Lt. Willson, Sgt. Kutchens, Dr. Pratt, Dr. Main, Dr. Asa, Deputy Baker, Mary Doe, Jane Does 1-3

TOPICS

section 1983

procedural due process

civil rights

eleventh amendment immunity

pleadings

PRACTICE AREAS

civil rights

constitutional law

prisoner and detainee litigation

civil procedure

remedies

QUESTIONS PRESENTED

1. Whether the complaint stated a cognizable Fourteenth Amendment due process claim based on punitive conditions imposed on a civil detainee.
2. Whether the due process claim against certain defendants was duplicative of a claim pending in another action.
3. Whether allegations of falsified disciplinary reports and sanctions stated a due process claim without allegations that the procedural protections required by *Wolff v. McDonnell* were denied.
4. Whether the plaintiff's PREA-related allegations stated a claim under § 1983.
5. Whether the allegations of retaliatory denial of medical care stated a First Amendment retaliation claim.
6. Whether claims for damages against defendants in their official capacities were barred by the Eleventh Amendment.
7. Whether the allegations of deficient medical care and denial of accommodations stated cognizable Fourteenth Amendment claims for a civil detainee.

HOLDINGS

1. A civil detainee awaiting adjudication may not be subjected to punitive conditions of confinement. The complaint stated a cognizable due process claim against Quantico and Rold because they allegedly knew of Walker's civil-detainee status and placed him in restrictive housing.
2. The due process claim concerning punitive housing conditions against Collins, Johnson, Miyamoto, and Adams was dismissed as duplicative because the same claim was proceeding in another pending action.
3. A civil detainee challenging disciplinary punishment must allege deprivation of the procedural protections required by *Wolff v. McDonnell*; allegations that disciplinary reports were falsified or that the detainee was innocent are insufficient by themselves.
4. The PREA does not create a private cause of action, and Walker's conclusory allegations concerning PREA confidentiality, support representation, and forensic examination were insufficient to state a § 1983 claim.
5. The allegations concerning denial of Lidocaine patches and ointment, denial of medical accommodations, and denial of medical assistance after falls were sufficient at the screening stage to state cognizable claims against Main, Asa, Baker, and medical Jane Does.
6. A retaliation claim was insufficiently pleaded because Walker did not allege facts establishing that the defendants knew of his grievances, that the alleged conduct chilled his First Amendment activity, or that the conduct did not reasonably advance a legitimate correctional goal.

7. The Eleventh Amendment bars Walker's claims for monetary relief against defendants in their official capacities.

KEY QUOTATIONS

“The Constitution demands due process, not error-free decision-making.” (at 5)

“Although the PREA did not create a private cause of action, failure to adhere to PREA reporting requirements may be used to support claims under other laws, including section 1983.” (at 6)

“However, Plaintiff’s due process claim against Defendants Quantico and Rold for subjecting him to punitive conditions of confinement at CJ3 in San Bruno and deficient medical care claim against Defendants Main, Asa, Baker, and medical “Jane Does” are cognizable.” (Conclusion ¶ 1)

FACTUAL BACKGROUND

Walker, a civil detainee awaiting a new probable-cause hearing under California's Sexually Violent Predator Act, was held at the San Francisco County Jail and transferred to another county jail in May 2024. He alleged that the receiving facility did not house civil detainees and that he was placed in punitive or restrictive conditions in retaliation for complaints and grievances. He also alleged disciplinary proceedings based on falsified reports, denial of medical and mental-health care, denial of medical accommodations, and injuries resulting from falls.

PROCEDURAL HISTORY

Walker filed the action after being transferred from the San Francisco County Jail in San Bruno, California, alleging punitive conditions of confinement, disciplinary-process violations, PREA-related misconduct, deficient medical and mental-health care, retaliation, and official-capacity claims. The court found cognizable a due process claim concerning punitive conditions against Quantico and Rold and deficient medical-care claims against Main, Asa, Baker, and medical Jane Does. Other claims were dismissed as duplicative, barred, or insufficiently pleaded, generally with leave to amend.

DISPOSITION

other

CASES CITED

- *Balistreri v. Pacifica Police Dep't*, 901 F.2d 696, 699 (9th Cir. 1988)
- *West v. Atkins*, 487 U.S. 42, 48 (1988)
- *Jones v. Blanas*, 393 F.3d 918, 932-34 (9th Cir. 2004)
- *Cato v. United States*, 70 F.3d 1103, 1105 n.2 (9th Cir. 1995)
- *Wolff v. McDonnell*, 418 U.S. 539 (1974)
- *Mitchell v. Dupnik*, 75 F.3d 517, 523-26 (9th Cir. 1996)
- *Sandin v. Conner*, 515 U.S. 472 (1995)
- *Ricker v. Leapley*, 25 F.3d 1406, 1410 (8th Cir. 1994)

- *McCrae v. Hankins*, 720 F.2d 863, 868 (5th Cir. 1983)
- *Rhodes v. Robinson*, 408 F.3d 559, 567-68 (9th Cir. 2005)
- *Pennhurst State Sch. & Hosp. v. Halderman*, 465 U.S. 89, 98-100 (1984)
- *Will v. Mich. Dep't of State Police*, 491 U.S. 58, 71 (1989)
- *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)
- *Ramirez v. Cty. of San Bernardino*, 806 F.3d 1002, 1008 (9th Cir. 2015)
- *Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir. 1992)

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6
JEFFERY WALKER, 7 Case No. 24-cv-08901 EJD (PR) Plaintiff, 8 ORDER OF PARTIAL
DISMISSAL AND WITH LEAVE TO AMEND 9 v. 10 CHIEF ADAMS, et al., 11 Defendants. 12
13 Plaintiff, a civil detainee at the San Francisco County Jail (“CJ2”), filed the instant 14 pro se
civil rights action pursuant to 42 U.S.C. § 1983 against officers and medical staff at 15 the County
Jail in San Bruno (“CJ3”).

Dkt. No. 1. Plaintiff’s motion for leave to proceed 16 in forma pauperis will be addressed in a
separate order. 17 18 DISCUSSION 19 A. Standard of Review 20 A federal court must conduct a
preliminary screening in any case in which a 21 prisoner seeks redress from a governmental entity
or officer or employee of a 22 governmental entity. See 28 U.S.C. § 1915A(a).

In its review, the court must identify any 23 cognizable claims and dismiss any claims that are
frivolous, malicious, fail to state a claim 24 upon which relief may be granted or seek monetary
relief from a defendant who is immune 25 from such relief. See *id.* § 1915A(b)(1), (2). Pro se
pleadings must, however, be liberally 26 construed. See *Balistreri v. Pacifica Police Dep’t*, 901
F.2d 696, 699 (9th Cir.

1988). 27 To state a claim under 42 U.S.C. § 1983, a plaintiff must allege two essential 1 violated,
and (2) that the alleged violation was committed by a person acting under the 2 color of state law.
See *West v. Atkins*, 487 U.S. 42, 48 (1988). 3 B. Plaintiff’s Claims 4 Plaintiff is a civil detainee
who was held at the San Francisco County Jail since 5 October 27, 2021, pending a new probable
cause hearing under the SVPA (California’s 6 Sexually Violent Predator Act).

Dkt. No. 1 at 6. On May 2, 2024, Plaintiff was 7 transferred to the County Jail in San Bruno
(“CJ3”). *Id.* ¶ 9. Plaintiff claims that CJ3 does 8 not house civil detainees and that the transfer was
done in retaliation for his filing 9 complaints and grievances. *Id.* ¶ 10. Plaintiff claims he informed
Defendants Captain 10 Quantico, and Lt. Rold that he was not supposed to be housed at CJ3 and
had paperwork in 11 support.

Id. ¶ 12. He also claims Defendants Captain Collins, Undersheriff Johnson, Sheriff Miyamoto, and Chief Adams were aware of his numerous complaints regarding his housing. Id. ¶¶ 11, 14. The claim that Plaintiff's due process rights were violated based on his status as a civil detainee who was housed in conditions at CJ3 that were punitive is cognizable.

See Jones, 393 F.3d at 932. Accordingly, this claim may proceed against Defendant Quantico and Rold who were made aware of Plaintiff's civil detainee status and placed him in restrictive housing. On the other hand, the Court notes that Plaintiff filed this due process claim against Defendants Collins, Johnson, Miyamoto, and Adams regarding his housing under a separate lawsuit, *Walker v. Miyamoto, et al.*, Case No. 24-cv-04342 EJD (PR), which is proceeding on the merits of that claim.

Accordingly, this claim against these defendants will be dismissed as duplicative from this action. See, e.g., *Cato v. United States*, 70 F.3d 1103, 1105 n.2 (9th Cir. 1995) (in forma pauperis complaint that merely repeats pending or previously litigated claims may be considered abusive and dismissed under § 1915). If Plaintiff believes these defendants are responsible for the punitive housing conditions at CJ3, he may seek leave to file a supplemental complaint in *Walker v. Miyamoto, et al.*, 1 The Court will review the other claims in the complaint below for which Plaintiff seeks declaratory and injunctive relief as well as damages.

Dkt. No. 1 at 17-18. 1. May 2024 – Disciplinary Action Plaintiff claims that after he arrived at CJ3, Defendant Lt. Rold took his "PREA complaint" based on the event that occurred at CJ2 just prior to his transfer to CJ3. Dkt. 6 No. 1 ¶¶ 20-21. Plaintiff claims Defendant Rold wrote a "falsified" report and that Defendant Deputy Gray also assisted in "falsifying allegations" in a subsequent disciplinary action ("RFD").

Id. ¶ 23. Defendant Lt., Willson found Plaintiff guilty of the RFD. Id. ¶ 24. Defendant Sgt. Kutchens was responsible for taking away several privileges as a result of the RFD. Id. ¶¶ 26-27. Plaintiff claims these actions were done in "retaliation to punish." Id. ¶ 27. Plaintiff also claims that Defendants Rold and Gray violated "PREA confidentiality" and denied "RTC rape trauma person support rep" to be present during the questioning "and instead harassed Plaintiff." Id. ¶ 28.

He claims Defendants Dr. Pratt and Dr. Main "denied PREA forensic exam in discriminatory practice, not done to any other prisoners PREA claims." Id. ¶ 29. He asserts the policy regarding "forensic evidence collection" was not followed, including a PREA exam and treatment for injuries. Id. ¶¶ 18 30-31. Plaintiff claims Dr. Main instructed all nursing staff at CJ3 "to not have contact with Plaintiff with no just cause" and denied Lidocaine patches and ointment to treat his pain from his injuries.

Id. ¶ 32. Plaintiff claims the denial of medical care was “in 22 retaliation” to numerous complaints he filed on Drs. Main and Pratt, “not one has 23 answered.” Id. ¶ 33. Plaintiff claims that at CJ3, Defendant Dr. Asa removed his medical 24 mattress order and foam cushion, and also denied a wheelchair and walker, “knowing 25 Plaintiff is a fall risk.” Id. ¶ 35.

As a result of these acts, Plaintiff fell several times and 26 was injured. Id. ¶ 36. At those times, he was denied medical assistance by “Jane Does 1- 27 3” and Defendant Deputy Baker and left “on floor to die” for several hours as he could not 1 Lastly, Plaintiff claims he was denied mental health treatment by the psych director 2 Mary Doe, who refused to answer grievances and prohibited other psych clinicians from 3 assisting.

Id. ¶ 39. 4 Based on the above allegations, Plaintiff asserts “cruel and unusual punishment, 5 retaliatory state and federal constitutional violations under law, civil rights that have been 6 violated, First, Fourteenth, Fifth, Eighth, Due Process.” Id. ¶ 7. He seeks injunctive relief 7 and damages. Id. at 15. 8 a. Disciplinary Proceedings 9 A civil detainee awaiting adjudication is entitled to conditions of confinement that 10 are not punitive.

Jones v. Blanas, 393 F.3d 918, 932 (9th Cir. 2004). A restriction is 11 punitive where it is intended to punish, or where it is excessive in relation to its non- 12 punitive purpose, or is employed to achieve objectives that could be accomplished in so 13 many alternative and less harsh methods. Id. at 933-34 (citations omitted). Legitimate, 14 non-punitive government interests include ensuring a detainee’s presence at trial, 15 maintaining jail security, and effective management of a detention facility.

Id. at 932. 16 The imposition of disciplinary segregation or some other sanction as punishment for 17 violation of jail rules and regulations is considered “punishment” and cannot be imposed 18 without due process, i.e., without the procedural requirements of Wolff v. McDonnell, 418 19 U.S. 539 (1974). See Mitchell v. Dupnik, 75 F.3d 517, 523-26 (9th Cir. 1996) (Sandin v. 20 Conner, 515 U.S. 472 (1995), does not apply to pretrial detainees who are punished; 21 applying due process requirements of Wolff).

Wolff established five procedural 22 requirements: (1) written notice of the charges sufficient to marshal facts and prepare a 23 defense; (2) at least 24 hours after the notice to prepare before appearing before the 24 disciplinary committee; (3) written statement by the factfinder as to the evidence relied on 25 and reasons for the disciplinary action; (4) allowed to call witnesses and present 26 documentary evidence in defense as long as doing so will not be unduly hazardous to 27 institutional safety and correctional goals; and (5) the aid of a fellow inmate or staff to 1 Plaintiff’s allegations that Defendants “falsified” a disciplinary action is not 2 sufficient to state a due process violation.

The fact that he may have been innocent of the 3 charges does not raise a due process issue. The Constitution demands due process, not 4 error-free decision-making. See, e.g., *Ricker v. Leapley*, 25 F.3d 1406, 1410 (8th Cir. 5 1994); *McCrae v. Hankins*, 720 F.2d 863, 868 (5th Cir. 1983). Rather, Plaintiff must 6 allege the deprivation of the procedural requirements under *Wolff* to challenge the 7 disciplinary action by Defendants Rold, Gray, and Kutchens, that resulted in 8 “punishment.” Accordingly, this claim shall be dismissed with leave to amend for Plaintiff 9 to attempt to state sufficient facts to support a due process claim under *Wolff* related to the 10 disciplinary proceedings.

11 Plaintiff’s allegations that Defendants Rold and Gray “violated PREA 12 confidentiality” and denied a “support rep,” as well as his allegations that Defendant Pratt 13 and Main “denied PREA forensic exam” are not sufficient to state a claim.

The Prison 14 Rape Elimination Act (“PREA”) was enacted to eliminate and prevent sexual assault, 15 abuse, and harassment within federal, state, and local institutions, and to provide 16 information, resources, recommendations, and funding to protect individuals from prison 17 rape. 42 U.S.C. § 15601 et seq.

Although the PREA did not create a private cause of 18 action, failure to adhere to PREA reporting requirements may be used to support claims 19 under other laws, including section 1983. Here, there are no factual allegations regarding 20 the alleged “PREA” incident that Plaintiff alludes to in the complaint. Furthermore, it 21 appears that this PREA incident may have taken place at CJ2, prior to his transfer to CJ3.

22 Dkt. No. 1 ¶¶ 9, 21. Accordingly, any claim involving sexual assault, abuse or harassment 23 should be raised against appropriate CJ2 staff in a separate action. 24 b. Deliberate Indifference to Medical Needs 25 Plaintiff’s allegation that Dr. Main instructed nursing staff at CJ3 to “not have 26 contact with Plaintiff with no just cause” fails to establish a claim for deficient medical 27 care as it does not establish that such instructions resulted in punitive conditions of 1 Lidocaine patches and ointment for his injuries is sufficient as are his allegations against 2 Dr. Asa for the denial of medical accommodations.

Plaintiff’s claim that he was denied 3 medical assistance by Jane Does and Defendant Baker are also sufficient to state a claim. 4 However, these claims regarding his medical care sound under the Fourteenth 5 Amendment, not the Eighth Amendment, because Plaintiff is a civil detainee and not a 6 prisoner. See *Jones*, 393 F.3d at 932. 7 c. Retaliation 8 Plaintiff alleges generally that the denial of medical care was “in retaliation” to 9 numerous complaints he filed on Drs.

Main and Pratt. “Within the prison context, a viable 10 claim of First Amendment retaliation entails five basic elements: (1) An assertion that a 11 state actor took some adverse action against an inmate (2) because of (3) that prisoner’s 12 protected conduct, and that such action (4) chilled

the inmate's exercise of his First 13 Amendment rights, and (5) the action did not reasonably advance a legitimate correctional 14 goal." Rhodes v. Robinson, 408 F.3d 559, 567-68 (9th Cir.

2005) (footnote omitted). The 15 allegations are insufficient to establish all five elements for a retaliation claim. Assuming 16 as true that Defendants took adverse action against Plaintiff by denying medical care, the 17 allegation that they did so because of his grievances is conclusory because he alleges that 18 "not one has answered," which does not establish that Defendants Pratt and Main were 19 even aware of his grievances.

Furthermore, there are no factual allegations establishing 20 that their actions had the effect of chilling the exercise of Plaintiff's First Amendment 21 rights and did not reasonably advance a legitimate correctional goal to satisfy the fourth 22 and fifth elements.

Accordingly, this retaliation claim will be dismissed with leave to 23 amend, for Plaintiff to attempt to state sufficient facts to correct this deficiency. 24 d. Mental Health Care 25 Plaintiff claims generally that he was denied mental health treatment by Mary Doe, 26 who refused to answer grievances and prohibited other psych clinicians from assisting. 27 However, the Court notes Plaintiff made similar allegation against Defendant Mary Doe in 1 No. 20 ¶ 83; Walker v. Espin, et al., Case No. 24-cv-08713 EJD (PR), Dkt.

No. 1 ¶ 55, 58, 2 61, 62. Furthermore, it is also unclear whether Defendant Mary Doe's alleged conduct in 3 this action took place at CJ2 or CJ3. Plaintiff shall be granted leave to amend to attempt to 4 state sufficient facts to distinguish this claim against Defendant Mary Doe from claims 5 raised against her in other actions. Otherwise, Plaintiff is advised that this claim will be 6 dismissed as duplicative.

7 2. Eleventh Amendment 8 Plaintiff indicates that each defendant is being sued in their "official and individual 9 capacity." Dkt. No. 1 at 3-4. 10 The Eleventh Amendment to the U.S. Constitution bars a person from suing a state 11 in federal court without the state's consent. See Pennhurst State Sch. & Hosp. v. 12 Halderman, 465 U.S. 89, 98-100 (1984).

The U.S. Supreme Court has held that state 13 officials acting in their official capacities are not "persons" under Section 1983 because "a 14 suit against a state official in his or her official capacity is not a suit against the official but 15 rather is a suit against the official's office." See Will v. Mich. Dep't of State Police, 491 16 U.S. 58, 71 (1989).

Thus, such a suit is therefore no different from a suit against the state 17 itself. Id. Accordingly, the Eleventh Amendment bars Plaintiff's claims for monetary 18 relief to the extent that they are based on acts by Defendants in their official capacity. See 19 id. Such claims for damages must be dismissed. 20 In preparing an amended complaint, Plaintiff is advised to state that he is suing 21 individual Defendants only in their individual capacity, and not in an official capacity.

22 3. Amended Complaint 23 In preparing an amended complaint, Plaintiff should keep the following legal 24 principles in mind. Liability may be imposed on an individual defendant under § 1983 25 only if Plaintiff can show that the defendant proximately caused the deprivation of a 26 federally protected right. See *Leer v. Murphy*, 844 F.2d 628, 634 (9th Cir. 1988); *Harris v. 27 City of Roseburg*, 664 F.2d 1121, 1125 (9th Cir.

1981). A person deprives another of a 1 in another's affirmative act or omits to perform an act which he is legally required to do, 2 that causes the deprivation of which the plaintiff complains. See *Leer*, 844 F.2d at 633. 3 4 CONCLUSION 5 For the foregoing reasons, the Court orders as follows: 6 1. Plaintiff's due process claim against Defendants Collins, Johnson, 7 Miyamoto, and Adams regarding punitive conditions of confinement as a civil detainee is 8 DISMISSED as duplicative as it is the subject of another pending lawsuit before this 9 Court.

See *Walker v. Miyamoto, et al.*, Case No. 24-cv-04342 EJD (PR). Plaintiff's claim 10 for damages against Defendants in their "official capacity" are also barred under the 11 Eleventh Amendment and must be dismissed. 12 However, Plaintiff's due process claim against Defendants Quantico and Rold for 13 subjecting him to punitive conditions of confinement at CJ3 in San Bruno and deficient 14 medical care claim against Defendants Main, Asa, Baker, and medical "Jane Does" are 15 cognizable.

16 2. The other claims in the complaint are DISMISSED with leave to amend. 17 Within twenty-eight (28) days of the date this order is filed, Plaintiff shall file an amended 18 complaint to correct the deficiencies described above.

The amended complaint must 19 include the caption and civil case number used in this order, Case No. 24-cv-08901 EJD 20 (PR), and the words "AMENDED COMPLAINT" on the first page. If using the court 21 form complaint, Plaintiff must answer all the questions on the form in order for the action 22 to proceed.

The amended complaint supersedes the original which will be treated 23 thereafter as non-existent. *Ramirez v. Cty. of San Bernardino*, 806 F.3d 1002, 1008 (9th 24 Cir. 2015). Consequently, claims not included in the amended complaint are no longer 25 claims and defendants not named therein are no longer defendants. See *Ferdik v. 26 Bonzelet*, 963 F.2d 1258, 1262 (9th Cir.1992).

27 In the alternative, Plaintiff may file notice that he wishes to strike the deficient 1 || due process claim against Defendants Perez and Collins, and deficient medical care claim 2 || against Defendants Main, Asa, Baker, and Jane Does. 3 2. Failure to respond in accordance with this order in the time provided 4 || will result in the dismissal with prejudice of the deficient claims discussed above for 5 || failure to state a claim and this action proceeding on the cognizable claims for 6 || punitive conditions of confinement and deficient medical care against Defendants 7 || Quantico, Rold, Main, Asa, Baker, and Jane Does, without further notice to Plaintiff.

8 3. The Clerk shall include two copies of the court's complaint with a copy of 9 || this order to
Plaintiff. 10 IT IS SO ORDERED. 11 || Dated: May 22, 2025 D EDWARD J. DAVILA United
States District Judge «14 15 16 Oo Z 18 19 20 21 22 23 24 25 26 27 28

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