

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

Samuel Samson Guzman v. R. Valdez, M. Jimenez, V. Cuevas, and  
Scott Frauenheim

Guzman v. Valdez · No. 1:21-cv-00621-KES-HBK (PC) · Decided September 22, 2025

SUMMARY

The United States District Court for the Eastern District of California partially adopts and partially declines to adopt a magistrate judge’s findings and recommendations in Samuel Samson Guzman’s 42 U.S.C. § 1983 action. The court dismisses the Eighth Amendment claim, permits the First Amendment retaliation claim against defendants R. Valdez and M. Jimenez to proceed, and refers the Fourteenth Amendment due process claim back to the magistrate judge for further consideration as to each defendant. The claims arise from an allegedly retaliatory rules violation report concerning an STG-related symbol and alleged lack of notice that the symbol was prohibited.

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            | September 22, 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| DOCKET             | 1:21-cv-00621-KES-HBK (PC)                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| DISPOSITION        | other                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| PROCEDURAL POSTURE | Plaintiff objected to a magistrate judge's findings and recommendations recommending dismissal of his third amended 42 U.S.C. § 1983 complaint for failure to state a claim. The district court conducted de novo review, adopted the recommendation as to the Eighth Amendment claim, declined to adopt it as to the First Amendment retaliation and Fourteenth Amendment due process claims, and referred the due process claim for further defendant-specific findings. |
| STANDARD OF REVIEW | De novo review of the magistrate judge's findings and recommendations under 28 U.S.C. § 636(b)(1); at the pleading stage, allegations were viewed in the light most favorable to plaintiff and assessed for plausibility.                                                                                                                                                                                                                                                  |
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|---------------------------|-------------------------------------------------------------------------------|
| <b>PRECEDENTIAL VALUE</b> | Unpublished federal district court order; nonprecedential and persuasive only |
| <b>PARTIES</b>            | Samuel Samson Guzman v. R. Valdez, M. Jimenez, V. Cuevas, Scott Frauenheim    |

## TOPICS

section 1983   prisoners rights   first amendment   due process   pleadings

## PRACTICE AREAS

civil rights   prisoner litigation   constitutional litigation   federal civil procedure

## QUESTIONS PRESENTED

1. Whether the third amended complaint plausibly stated a First Amendment retaliation claim based on defendants' issuance of an STG-related RVR after Guzman filed a grievance.
2. Whether the third amended complaint plausibly stated a Fourteenth Amendment procedural due process claim based on the alleged lack of fair notice that a butterfly had become a prohibited STG symbol.
3. Whether the third amended complaint stated an Eighth Amendment claim.

## HOLDINGS

1. The third amended complaint plausibly stated a First Amendment retaliation claim against Valdez and Jimenez. Although issuing an RVR for STG behavior may ordinarily advance a legitimate correctional goal, the alleged suspicious timing, asserted retaliatory motive, and alleged inconsistent use of disciplinary measures were sufficient at the pleading stage to plausibly show that the action did not reasonably advance a legitimate correctional goal.
2. The third amended complaint plausibly stated a procedural due process claim based on the alleged absence of fair notice that a butterfly was a newly certified STG symbol. The matter was referred back to the magistrate judge for further findings concerning whether the claim was sufficiently pleaded against each defendant.
3. The Eighth Amendment claim was dismissed for failure to state a claim because the third amended complaint alleged no facts supporting such a violation.

## KEY QUOTATIONS

*“That an inmate is subjected to treatment that is consistent with an otherwise legitimate policy does not bar a First Amendment retaliation claim where that policy is enforced against the inmate with retaliatory intent.”*  
(at 6)

*“It is clearly established, both by common sense and by precedent, that due process requires fair notice of what conduct is prohibited before a sanction can be imposed.”* (at 12)

*“Viewing the TAC in the light most favorably to plaintiff, as the Court is required to do at this stage, plaintiff has adequately alleged that his due process rights were violated as he allegedly did not receive fair notice of the prohibited conduct prior to being sanctioned for such conduct.” (at 14)*

## FACTUAL BACKGROUND

Guzman alleged that defendants searched his cell on July 13, 2020, confiscated an image depicting an Angel and Butterfly, and issued him a Rules Violation Report for Security Threat Group activity on July 23, 2020. He alleged that he filed a grievance concerning the cell search on July 20, 2020, and that the RVR was issued in retaliation for that grievance. He also alleged that the butterfly had recently become a certified STG symbol, that the new classification had not been disseminated to the incarcerated population, and that he lacked notice of the rule before being sanctioned.

## PROCEDURAL HISTORY

Guzman filed his complaint on April 14, 2021, and amended it three times. The magistrate judge screened the first and second amended complaints under the Prison Litigation Reform Act and granted leave to amend after finding them deficient. After screening the third amended complaint, the magistrate judge recommended dismissal without further leave to amend. Following Guzman's objections, the district court reviewed the matter de novo and adopted the recommendation in part and declined it in part.

## DISPOSITION

other

## REMAND INSTRUCTIONS

The findings and recommendations were adopted in part and declined in part. The First Amendment retaliation claim proceeds against Valdez and Jimenez. The Fourteenth Amendment due process claim was referred back to the magistrate judge for further findings regarding the extent to which it was sufficiently pleaded against each defendant, along with other proceedings consistent with the order.

## CASES CITED

- Brodheim v. Cry, 584 F.3d 1262, 1269, 1272 (9th Cir. 2009)
- Rhodes v. Robinson, 408 F.3d 559, 567-68 (9th Cir. 2005)
- Venegas v. Bianco, Case No. 5:19-cv-01557-JLS-SHK, 2025 WL 747852, at \*2 (C.D. Cal. Mar. 6, 2025)
- Denton v. Bibb, Case No. 1:19-cv-00316-ADA-EPG (PC), 2023 WL 5155787, at \*10 (E.D. Cal. Aug. 10, 2023), recommendation adopted, 2025 WL 495819 (E.D. Cal. Feb. 14, 2025)
- Johnson v. Ryan, 55 F.4th 1167, 1202 (9th Cir. 2022)
- Bruce v. Ylst, 351 F.3d 1283, 1288-89 (9th Cir. 2003)
- Prison Legal News v. Ryan, 39 F.4th 1121, 1128 (9th Cir. 2022)
- Turner v. Safley, 482 U.S. 78 (1987)
- Jones v. Slade, 23 F.4th 1124, 1137 (9th Cir. 2022)

- Daniels v. Baer, No. 22-16664, 2025 WL 1794430, at \*2 (9th Cir. 2025)
- Ingram v. Sterling, Case No. 3:14-cv-02691-GPC-DHB, 2016 WL 1211999, at \*9 (S.D. Cal. Mar. 29, 2016)
- McCollum v. California Department of Corrections and Rehabilitation, 647 F.3d 870, 882 (9th Cir. 2011)
- Solomon v. Felker, No. 2:08-cv-02544 JFM P, 2013 WL 5375538, at \*12 (E.D. Cal. Sept. 24, 2013)
- Lovell v. Poway Unified School District, 90 F.3d 367, 370 (9th Cir. 1996)
- Newell v. Sauser, 79 F.3d 115, 117-18 (9th Cir. 1996)
- Grayned v. City of Rockford, 408 U.S. 104, 108 (1972)
- Williams v. Nix, 1 F.3d 712, 716 (8th Cir. 1993)
- Radi v. McCormick, 978 F.2d 715 (Table), at \*1 (9th Cir. 1992)
- Schenck v. Edwards, 133 F.3d 929 (Table), at \*1 (9th Cir. 1998)
- Anderson v. Crosby, No. 5:04CV164SPMMD, 2005 WL 3357220, at \*4 (N.D. Fla. Mar. 25, 2005)
- Reeves v. Peetcox, 19 F.3d 1061 (5th Cir. 1994)

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