

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Goodwin v. Butte County

Goodwin · No. 2:25-cv-0320 CKD P · Decided February 26, 2025

SUMMARY

The court grants Michelle Renee Goodwin leave to proceed in forma pauperis and screens her prisoner civil-rights complaint under 28 U.S.C. § 1915A. It finds that she states a Fourteenth Amendment medical-care claim against Pamela Johansen, but that the remaining claims and defendants are inadequately pleaded. The court gives Goodwin 30 days to elect whether to proceed on that claim or file an amended complaint and denies her motion to compel discovery because discovery has not opened.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Carolyn K. Delaney
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	February 26, 2025
DOCKET	2:25-cv-0320 CKD P
DISPOSITION	other
PROCEDURAL POSTURE	A prisoner civil-rights action under 42 U.S.C. § 1983 was screened under 28 U.S.C. § 1915A. The court granted in forma pauperis status, found that the complaint stated a Fourteenth Amendment denial-of-medical-care claim against Pamela Johansen, found the remaining claims deficient, and denied an early motion to compel discovery.
STANDARD OF REVIEW	Mandatory screening under 28 U.S.C. § 1915A; the complaint must be dismissed in whole or in part if it is frivolous or malicious, fails to state a claim, or seeks monetary relief from an immune defendant.
PRECEDENTIAL VALUE	unpublished
PARTIES	Michelle Renee Goodwin v. Butte County, Pamela Johansen, Other named defendants

TOPICS

discovery dispute

prisoners rights

section 1983

due process

civil procedure

PRACTICE AREAS

civil rights

prisoner litigation

federal civil procedure

constitutional law

torts

QUESTIONS PRESENTED

1. Whether the complaint stated a cognizable § 1983 claim for denial of medical care against Pamela Johansen.
2. Whether the complaint stated claims against the other named defendants, including Butte County and the Butte County Sheriff.
3. Whether Goodwin could proceed on state-law claims without pleading compliance with the California Tort Claims Act.
4. Whether the court should compel discovery before service of process and the opening of discovery.
5. Whether Goodwin qualified to proceed in forma pauperis.

HOLDINGS

1. Goodwin qualified to proceed in forma pauperis because her declaration made the showing required by 28 U.S.C. § 1915(a).
2. The complaint stated a claim upon which relief may proceed against Pamela Johansen for denial of medical care in violation of the Fourteenth Amendment.
3. The complaint failed to state claims against the other defendants and claims identified by the court unless Goodwin amended the pleading to allege specific facts linking each defendant to the claimed deprivation.
4. Butte County could not be held vicariously liable under § 1983 for the actions of its employees; municipal liability requires that a county policy or custom inflict the alleged injury.
5. To proceed on state-law claims, Goodwin had to comply with the California Tort Claims Act and plead facts demonstrating that compliance in any amended complaint.
6. The motion to compel discovery was denied because discovery was not yet open; discovery would be set after the appropriate defendants were served.

KEY QUOTATIONS

“There can be no liability under 42 U.S.C. § 1983 unless there is some affirmative link or connection between a defendant’s actions and the claimed deprivation.” (at 1)

“Instead, it is when execution of a government’s policy or custom, whether made by its lawmakers or by those whose edicts or acts may fairly be said to represent official policy, inflicts the injury that the government as an entity is responsible under § 1983.” (at 1)

FACTUAL BACKGROUND

Michelle Renee Goodwin is a Butte County Jail prisoner proceeding pro se and seeking relief under 42 U.S.C. § 1983. The court determined that her complaint stated a claim against Pamela Johansen for denial of medical care in violation of the Fourteenth Amendment, but that the allegations against the other defendants and claims were insufficient. Goodwin also sought to compel discovery before the appropriate defendants had been served.

PROCEDURAL HISTORY

Goodwin, a Butte County Jail prisoner proceeding pro se, filed a § 1983 complaint, an application to proceed in forma pauperis, and a motion to compel discovery. The magistrate judge granted in forma pauperis status, screened the complaint, authorized Goodwin either to proceed against Johansen on the medical-care claim or amend the complaint, and denied the motion to compel because discovery had not yet opened.

DISPOSITION

other

CASES CITED

- Rizzo v. Goode, 423 U.S. 362 (1976)
- Ivey v. Board of Regents, 673 F.2d 266, 268 (9th Cir. 1982)
- Monell v. Department of Social Services, 436 U.S. 658, 691, 694 (1978)
- Mangold v. California Public Utilities Commission, 67 F.3d 1470, 1477 (9th Cir. 1995)
- Shirk v. Vista Unified School District, 42 Cal. 4th 201, 209 (2007)

OPINION

(PC) Goodwin v. Butte County

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10

11 MICHELLE RENEE GOODWIN, No. 2:25-cv-0320 CKD P

12 Plaintiff, 13 v. ORDER 14 BUTTE COUNTY, et al., 15 Defendants. 16 17 Plaintiff is a Butte
County Jail prisoner proceeding pro se and seeking relief pursuant to 18 42 U.S.C. § 1983. This
proceeding was referred to this court by Local Rule 302 pursuant to 28 19 U.S.C. § 636(b)(1). 20
I. Request to Proceed In Forma Pauperis 21 Plaintiff requests leave to proceed in forma pauperis.
As plaintiff has submitted a 22 declaration that makes the showing required by 28 U.S.C. §
1915(a), his request will be granted. 23 Plaintiff is required to pay the statutory filing fee of
\$350.00 for this action. 28 U.S.C. §§ 24 1914(a), 1915(b)(1). By separate order, the court will
direct the appropriate agency to collect the 25 initial partial filing fee from plaintiff’s trust account
and forward it to the Clerk of the Court. 26 Thereafter, plaintiff will be obligated for monthly

payments of twenty percent of the preceding 27 month's income credited to plaintiff's prison trust account. These payments will be forwarded by 28 // 1 the appropriate agency to the Clerk of the Court each time the amount in plaintiff's account 2 exceeds \$10.00, until the filing fee is paid in full. 28 U.S.C. § 1915(b)(2). 3 II. Screening 4 The court is required to screen complaints brought by prisoners seeking relief against a 5 governmental entity or officer or employee of a governmental entity. 28 U.S.C. § 1915A(a). The 6 court must dismiss a complaint or portion thereof if the prisoner has raised claims that are legally 7 "frivolous or malicious," that fail to state a claim upon which relief may be granted, or that seek 8 monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915A(b)(1),(2). 9 The court has reviewed plaintiff's complaint and finds that plaintiff states a claim upon 10 which she may proceed against defendant Pamela Johansen for denial of medical care in violation 11 of the Fourteenth Amendment. With respect to the other defendants and claims identified in 12 plaintiff's complaint, plaintiff's complaint fails to state a claim upon which relief can be granted. 13 At this point, plaintiff has two options: 1) proceed on the claim described above; or 2) 14 attempt to cure the deficiencies in the complaint. In deciding whether to file an amended 15 complaint, plaintiff is advised that as to state claims against the other defendants, plaintiff must 16 allege in specific terms how each named defendant is involved. There can be no liability under 17 42 U.S.C. § 1983 unless there is some affirmative link or connection between a defendant's 18 actions and the claimed deprivation. *Rizzo v. Goode*, 423 U.S. 362 (1976). Furthermore, vague 19 and conclusory allegations of official participation in civil rights violations such as plaintiff's 20 allegations against the Butte County Sheriff are not sufficient. *Ivey v. Board of Regents*, 673 21 F.2d 266, 268 (9th Cir. 1982). 22 With respect to defendant Butte County, municipalities cannot be held vicariously liable 23 under § 1983 for the actions of their employees. *Monell v. Dep't of Social Services*, 436 U.S. 24 585 at 691, 694 (1978). "Instead, it is when execution of a government's policy or custom, 25 whether made by its lawmakers or by those whose edicts or acts may fairly be said to represent 26 official policy, inflicts the injury that the government as an entity is responsible under § 1983." 27 *Id.* at 694.

28 As for plaintiff's claims arising under state law, plaintiff is informed that to proceed on 1 | such claims, plaintiff must comply with the terms of the California Tort Claims Act, and then 2 || plead compliance in her amended complaint. See Cal. Gov't Code § 910 et seq.; *Mangold v. Cal. 3 | Pub. Utils. Comm'n*, 67 F.3d. 1470, 1477 (9th Cir. 1995). Complaints must present facts 4 || demonstrating compliance, rather than simply conclusions suggesting as much. *Shirk v. Vista 5 || Unified School Dist.*, 42 Cal.4th 201, 209 (2007). 6 || II. Motion to Compel 7 Finally, the court notes that plaintiff has filed a motion to compel responses to discovery. 8 || Discovery is not open yet. Once the appropriate defendant(s) are served with process, the court 9 || will set a time frame for discovery. 10 In accordance with the above, IT IS HEREBY ORDERED that: 11 1. Plaintiff's request for leave to proceed in forma pauperis (ECF No. 2) is GRANTED. 12 2. Plaintiff is granted 30 days within which to complete and return the attached form 13 || notifying the court whether

she wants to proceed on a claim for denial of medical care arising 14 | under the Fourteenth Amendment against defendant Pamela Johansen or whether plaintiff wishes 15 || to file an amended complaint in an attempt to cure some or all of the deficiencies in the 16 | complaint. If plaintiff does not return the form, this action will proceed on the claim described 17 || above against the defendant identified, and the court will recommend that the other defendants 18 || and claims be dismissed. 19 3. Plaintiff's motion to compel discovery (ECF No. 3) is DENIED. 20 | Dated: February 26, 2025 / ae / a ly. ae

21 CAROLYNK. DELANEY

22 UNITED STATES MAGISTRATE JUDGE

23 24 25 26 | 1 4 good0320.14 28 1 2 3 4 5 6 7 8

9 UNITED STATES DISTRICT COURT

10 FOR THE EASTERN DISTRICT OF CALIFORNIA

11 12

MICHELLE RENEE GOODWIN, No. 2:25-cv-0320 CKD P

13 Plaintiff, 14

v. PLAINTIFF'S NOTICE OF

15

BUTTE COUNTY, et al., HOW TO PROCEED

16 Defendants. 17

18 Check one: 19 20 _____ Plaintiff wants to proceed immediately on a claim for denial of medical care arising under 21 the Fourteenth Amendment against defendant Pamela Johansen. OR

22 23 _____ Plaintiff wants time to file an amended complaint. 24 DATED: 25 _____ Plaintiff 26 27 28