

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON

James Curtis Rowley v. Mason County Sheriff's Department, et al.

Rowley · No. 3:25-cv-5030-RAJ · Decided January 13, 2026

SUMMARY

The United States District Court for the Western District of Washington adopts a magistrate judge's Report and Recommendation and dismisses James Curtis Rowley's amended complaint under Heck v. Humphrey and for failure to state a claim. The court denies leave to file a second amended complaint, concluding that further amendment would be futile because the alleged destruction-of-evidence and DNA-access claims remain noncognizable and other pleading deficiencies were not cured.

CASE DETAILS

COURT	United States District Court for the Western District of Washington
WRITING FOR THE COURT	Richard A. Jones
JURISDICTION	United States District Court for the Western District of Washington
DECIDED	January 13, 2026
DOCKET	3:25-cv-5030-RAJ
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed and adopted a magistrate judge's Report and Recommendation, dismissed Plaintiff's amended complaint under Heck v. Humphrey and for failure to state a claim, and denied leave to file a second amended complaint.
STANDARD OF REVIEW	The district court reviewed the Report and Recommendation, Plaintiff's objections, and the record; the order does not state a separate formal standard of review.
PRECEDENTIAL VALUE	unpublished, nonprecedential district-court order
PARTIES	James Curtis Rowley v. Mason County Sheriff's Department, et al.

TOPICS

[pleadings](#) [section 1983](#) [due process](#) [prisoners rights](#)

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the amended complaint was barred by *Heck v. Humphrey* and failed to state a claim upon which relief could be granted.
2. Whether Plaintiff should receive leave to file a second amended complaint after previously receiving leave and specific instructions but failing to cure the pleading deficiencies.
3. Whether the proposed amendments would be futile because they repeated noncognizable destruction-of-evidence and DNA-access theories and did not adequately allege municipal liability.

HOLDINGS

1. The amended complaint was dismissed pursuant to *Heck v. Humphrey* and for failure to state a claim upon which relief could be granted.
2. Leave to file a second amended complaint was denied because amendment would be futile and would merely reassert the same noncognizable claims.
3. Naming a proper defendant alone would not transform the complaint into a nonfrivolous pleading because Plaintiff still failed to allege facts showing that a county policy or custom was the moving force behind the alleged constitutional deprivation.

KEY QUOTATIONS

“However, the fact that Plaintiff does not challenge the validity of his conviction is precisely the reason that he is barred by the Heck doctrine from raising a § 1983 destruction-of-evidence claim.” (at 2)

“As such, this Court concludes that there is no possibility that Plaintiff’s pleading deficiencies may be cured through amendment” (at 4)

FACTUAL BACKGROUND

Rowley alleged that Defendants destroyed potentially exculpatory physical evidence and asserted related due-process, DNA-access, and destruction-of-evidence claims under § 1983. He had previously been given leave to amend and specific instructions to cure deficiencies, but his amended complaint repeated or failed to cure the fatal defects. His proposed second amended complaint would have relied on the same theories and authorities and would not have adequately alleged a county policy or custom causing the alleged constitutional deprivation.

PROCEDURAL HISTORY

Plaintiff filed a prisoner civil-rights action under 42 U.S.C. § 1983 and was previously granted leave to amend with specific instructions to cure pleading deficiencies. After Plaintiff filed an amended complaint, the magistrate judge recommended dismissal. Plaintiff objected and moved to file a second amended complaint, but the district court found that the proposed amendments would be futile, adopted the Report and Recommendation, dismissed the amended complaint, and denied further leave to amend.

DISPOSITION

dismissed

CASES CITED

- Heck v. Humphrey, 512 U.S. 477, 487 (1994)
- Swearington v. California Department of Corrections & Rehabilitation, 624 F. App'x 956, 959 (9th Cir. 2015)
- Arizona v. Youngblood, 488 U.S. 51 (1988)
- Reed v. Goertz, 598 U.S. 230 (2023)
- Gutierrez v. Saenz, 145 S. Ct. 2258 (2025)
- Oviatt v. Pearce, 954 F.2d 1470, 1474 (9th Cir. 1992)
- Neitzke v. Williams, 490 U.S. 319, 327 (1989)
- Lopez v. Smith, 203 F.3d 1122, 1130 (9th Cir. 2000)
- Akhtar v. Mesa, 698 F.3d 1202, 1212 (9th Cir. 2012)

OPINION

1 HONORABLE RICHARD A. JONES 2 3 4 5 6 UNITED STATES DISTRICT COURT 7
WESTERN DISTRICT OF WASHINGTON AT SEATTLE 8 9 JAMES CURTIS ROWLEY, Case
No. 3:25-cv-5030-RAJ 10 Plaintiff, v. ORDER ADOPTING REPORT 11 AND
RECOMMENDATION AND MASON COUNTY SHERIFF'S DENYING LEAVE TO AMEND
12 DEPARTMENT, et al., 13 Defendants. 14 This Court, having reviewed the Report and
Recommendation of Magistrate Judge 15 16 David W. Christel (the "Report and
Recommendation," Dkt. # 19), Plaintiff's Objections 17 to the Report and Recommendation (the
"Objections," Dkt. # 20), and the remaining 18 record, hereby finds and ORDERS the following:
19 (1) The Court ADOPTS the Report and Recommendation.

20 (2) Plaintiff's Amended Complaint (Dkt. # 18) is DISMISSED pursuant to Heck 21 v.
Humphrey, 512 U.S. 477, 487 (1994), and for failure to state a claim upon which relief 22 may be
granted. 23 24 1 (3) The Court makes the following findings with respect to Plaintiff's Motion 2
for Leave to File Second Amended Complaint (the "Motion to File SAC," Dkt. # 21).

3 While Plaintiff is correct that leave to amend is more freely given to pro se litigants, 4 Plaintiff
has already been granted leave to amend once in this matter, and has been provided 5 specific
instructions as to how to cure his pleading deficiencies on more than one occasion. 6 See Dkt. ##
9, 17. Despite this, as detailed in the Report and Recommendation, Plaintiff 7 failed to cure the
fatal deficiencies in filing his amended complaint.

See, e.g., Dkt. # 19 at 8 5 (observing that Plaintiff's amended destruction-of-evidence claim is "no
different" from 9 the earlier version "asserted in his initial complaint"). Under these
circumstances, the 10 Court may dismiss a pro se action based on remaining deficiencies without

leave to amend. 11 12 *Swearington v. California Dep't of Corr. & Rehab.*, 624 F. App'x 956, 959 (9th Cir.

2015) 13 (internal citations omitted). 14 The arguments set forth in the Objections and Motion to File SAC make clear that 15 permitting leave to file a second amended complaint would be futile and would only result 16 in the presentation of the same noncognizable claims. Critically, Plaintiff appears to 17 fundamentally misunderstand the Heck doctrine, arguing that, as his claims “do not 18 challenge the validity of [his] underlying conviction, but instead challenge the destruction 19 of key evidence,” they are therefore not Heck-barred.

Dkt. # 20 at 1. However, the fact 20 that Plaintiff does not challenge the validity of his conviction is precisely the reason that 21 he is barred by the Heck doctrine from raising a § 1983 destruction-of-evidence claim. 22 Plaintiff's conflation of these legal principles all but guarantees that any further amended 23 complaint in this matter will continue to run up against the Heck doctrine.

24 1 Additionally, Plaintiff again relies on *Arizona v. Youngblood*, 488 U.S. 51 (1988), 2 in arguing that the allegedly bad-faith destruction of potentially exculpatory evidence in 3 his case independently violated his due process rights. Dkt. # 20 at 2. This is the same 4 argument Plaintiff made in both of his previous complaints, and his recent filings all but 5 confirm that his second amended complaint—if permitted—will merely rehash this 6 already-rejected logic.

Compare Dkt. # 8 at 5 (“Under *Arizona v. Youngblood*, the failure 7 to preserve such evidence constitutes a due process violation if it was destroyed in bad 8 faith.”), with Dkt. # 18 at 4 (“Plaintiff's right to due process under the Fourteenth 9 Amendment of the U.S. Constitution was violated by all Defendants when it destroyed 10 critical physical evidence...”), with Dkt. # 20 at 2 (“Under *Arizona v. Youngblood*, 488 11 12 U.S. 51 (1988), destruction of potentially exculpatory evidence violates due process if done 13 in bad faith.”); see also Dkt. # 20 at 3 (requesting leave to amend to “further clarif[y] my 14 due process... claims”).

15 Plaintiff similarly cites *Reed v. Goertz*, 598 U.S. 230 (2023) and *Gutierrez v. Saenz*, 16 145 S. Ct. 2258 (2025) in his Objections, in connection with his “DNA access” claim. Dkt. 17 # 20 at 1–2. Here, too, Plaintiff fails to articulate how any second amended complaint, if 18 permitted, would meaningfully differ in its analysis of this authority, as compared to the 19 non-colorable argument set forth in Plaintiff's amended complaint.

See Dkt. # 18 at 6; Dkt. 20 # 19 at 6–9. 21 Finally, Plaintiff identifies with specificity the amendments he proposes to make to 22 cure the pleading deficiencies in the amended complaint related to the naming of a proper 23 defendant. Dkt. # 20 at 2–3. Notably, Plaintiff does not address the requirement to “allege 24 1 facts sufficient to show the existence of a county policy or custom that was the moving 2 force behind the alleged constitutional deprivation.” Dkt. # 19 at 9 (citing *Oviatt v. Pearce*, 3 954 F.2d 1470, 1474 (9th Cir.

1992)). In any case, even if Plaintiff is ultimately able to 4 partially cure this procedural deficiency, this Court concludes that, based on the totality of 5 the record, naming a proper defendant would not, by itself, transform plaintiff's complaint 6 into a nonfrivolous pleading reflecting "arguable substance of law and fact." Dkt. # 19 at 7 4 (citing 28 U.S.C. § 1915A(b); *Neitzke v. Williams*, 490 U.S. 319, 327 (1989)).

8 As such, this Court concludes that there is no possibility that Plaintiff's pleading 9 deficiencies may be cured through amendment, particularly given that Plaintiff "did not 10 cure the complaint's deficiencies despite the district court's specific instructions about how 11 12 to do so." *Swearington*, 624 F. App'x at 959 (citing *Lopez v. Smith*, 203 F.3d 1122, 1130 13 (9th Cir.2000)); see also *Akhtar v. Mesa*, 698 F.3d 1202, 1212 (9th Cir.

2012). 14 Accordingly, the Court DENIES Plaintiff's Motion to File SAC. 15 (4) The Clerk is directed to send copies of this Order to Plaintiff and to the Hon. 16 David W. Christel. 17 Dated this 13th day of January, 2026. 18 19 A 20 21 The Honorable Richard A. Jones United States District Judge 22 23 24