

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Payton v. Montgomery

Payton · No. 2:22-cv-1177 AC P · Decided July 21, 2025

SUMMARY

The court addresses plaintiff’s declaration and motion for relief concerning failed settlement conferences, alleged misconduct at a correctional facility, access to legal materials, and related requests to amend the complaint and obtain injunctive relief. The court denies as moot the request concerning access to the law library at the prior facility, grants an extension to oppose the motion to dismiss, and recommends denying leave to amend and preliminary injunctive relief. The matter is referred to an assigned district judge for review of the findings and recommendations.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Allison Claire
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 21, 2025
DOCKET	2:22-cv-1177 AC P
DISPOSITION	other
PROCEDURAL POSTURE	A state prisoner proceeding pro se filed a declaration and motion for relief after twice failing to attend settlement conferences. The magistrate judge construed the filing in part as a motion to amend and for a preliminary injunction, denied the requested law-library relief as moot, granted an extension of time to oppose the motion to dismiss, and recommended denial of amendment and preliminary-injunction relief.
STANDARD OF REVIEW	A preliminary injunction requires jurisdiction over the parties and the claim, and injunctive relief based on claims not pleaded requires a nexus between the alleged injury and the underlying complaint. Leave to amend is governed by Federal Rule of Civil Procedure 15 and constrained by the rules governing joinder and the Prison Litigation Reform Act.
PRECEDENTIAL VALUE	unpublished trial-court order and findings and recommendations

TOPICS

injunctions

motion to amend

joinder

personal jurisdiction

civil procedure

PRACTICE AREAS

civil procedure

prisoner civil rights

injunctive relief

pleading and joinder

QUESTIONS PRESENTED

1. Whether plaintiff's declaration and motion for relief should be construed as a motion to amend the complaint to add claims against CDCR, KVSP, and KVSP officers.
2. Whether plaintiff was entitled to a preliminary injunction concerning alleged assault, property destruction, administrative segregation, and law-library access at KVSP.
3. Whether the request for access to the KVSP law library became moot after plaintiff's transfer.
4. Whether plaintiff was entitled to additional time to oppose defendants' motion to dismiss.

HOLDINGS

1. The proposed claims concerning access to the courts, assault, property deprivation, and administrative segregation at KVSP could not be added to this action because they involved unrelated events and defendants and would improperly circumvent the PLRA's filing-fee limitations.
2. The court could not issue the requested preliminary injunction because CDCR and KVSP officers were not parties to the action, the proposed injunction concerned claims not pleaded in the complaint, and there was no nexus between those claims and the claims against Montgomery.
3. The request for access to the KVSP law library was denied as moot because plaintiff had been transferred from KVSP.
4. Plaintiff was granted thirty days from the date of the order to file and serve an opposition or statement of non-opposition to defendants' motion to dismiss.

KEY QUOTATIONS

“A federal court may issue an injunction if it has personal jurisdiction over the parties and subject matter jurisdiction over the claim; it may not attempt to determine the rights of persons not before the court.” (at 3)

“When a plaintiff seeks injunctive relief based on claims not pled in the complaint, the court does not have the authority to issue an injunction” (at 3)

FACTUAL BACKGROUND

Plaintiff, a state prisoner, alleged sexual assault and deliberate indifference to safety by Montgomery at California Medical Facility. She twice failed to attend settlement conferences, attributing the second failure to prison officials' refusal to provide state-issued clothing. She later alleged that officers at Kern Valley State Prison

assaulted her, destroyed legal materials, placed her in administrative segregation, and denied her law-library access. Plaintiff was transferred from Kern Valley State Prison to Mule Creek State Prison before the order was issued.

PROCEDURAL HISTORY

The complaint was screened and claims for Eighth Amendment sexual assault and deliberate indifference to safety against Montgomery were allowed to proceed. After two missed settlement conferences, the stay was lifted and defendants filed a motion to dismiss. Plaintiff then sought relief based on alleged assaults, property destruction, administrative segregation, and denial of law-library access at KVSP. The court denied the KVSP law-library request as moot following plaintiff's transfer, granted thirty days to oppose the motion to dismiss, and recommended denying amendment and preliminary-injunction relief.

DISPOSITION

other

REMAND INSTRUCTIONS

Plaintiff must file and serve an opposition to defendants' motion to dismiss, or a statement of non-opposition, within thirty days of the order. Failure to comply will result in a recommendation that the action be dismissed without prejudice for failure to prosecute under Federal Rule of Civil Procedure 41(b). The findings and recommendations were submitted to the assigned district judge for review under 28 U.S.C. § 636(b)(1), with fourteen days to file objections.

CASES CITED

- George v. Smith, 507 F.3d 605, 607 (7th Cir. 2007)
- Price v. City of Stockton, 390 F.3d 1105, 1117 (9th Cir. 2004) (per curiam)
- Zenith Radio Corp. v. Hazeltine Research, Inc., 395 U.S. 100, 112 (1969)
- Pacific Radiation Oncology, LLC v. Queen's Medical Center, 810 F.3d 631, 633, 636 (9th Cir. 2015)
- Nelson v. Heiss, 271 F.3d 891, 897 (9th Cir. 2001)
- Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991)

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