

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Webber v. Barrios

Webber · No. 1:24-cv-00461-KES-EPG (PC) · Decided May 30, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations and dismissed Doyal Webber’s 42 U.S.C. § 1983 action with prejudice for failure to state a claim. The court concluded that the amended complaint failed to allege a cognizable due process or First Amendment retaliation claim concerning prison disciplinary proceedings. The Clerk was directed to close the case.

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	May 30, 2025
DOCKET	1:24-cv-00461-KES-EPG (PC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	A state prisoner proceeding pro se and in forma pauperis brought a 42 U.S.C. § 1983 action. After screening the first amended complaint, the magistrate judge recommended dismissal with prejudice for failure to state a claim. The district court conducted de novo review, adopted the findings and recommendations, and dismissed the action with prejudice.
STANDARD OF REVIEW	De novo review of the magistrate judge's findings and recommendations under 28 U.S.C. § 636(b)(1). The complaint was evaluated under the plausibility standard for failure to state a claim.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Doyal Webber v. J. Barrios, et al.

TOPICS

- section 1983
- prisoners rights
- due process
- first amendment
- pleadings

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the first amended complaint stated a cognizable due process claim based on plaintiff's prison disciplinary proceedings.
2. Whether the first amended complaint stated a First Amendment retaliation claim.
3. Whether plaintiff's challenge to Cal. Code Regs. tit. 15, § 3023 stated a constitutional claim independent of due process.

HOLDINGS

1. The first amended complaint failed to state a due process claim because plaintiff challenged the merits of the disciplinary finding rather than alleging that he was denied constitutionally required process, and he did not allege facts showing that the disciplinary finding lacked the required evidentiary support.
2. The first amended complaint failed to state a First Amendment retaliation claim because plaintiff did not identify constitutionally protected conduct or explain how that conduct triggered the alleged retaliatory actions.
3. Plaintiff's challenge to Cal. Code Regs. tit. 15, § 3023 did not state a constitutional claim because he failed to provide sufficient factual matter connecting the regulation or its application to a constitutional violation.

KEY QUOTATIONS

“The magistrate judge correctly found that plaintiff has not stated any cognizable claims.” (at 2)

“The FAC does not contain “sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.”” (at 3)

FACTUAL BACKGROUND

Plaintiff is a state prisoner who challenged a prison rule violation report and related disciplinary proceedings. He did not allege that defendants denied him constitutionally required process in the prison disciplinary appeals process, and he did not provide sufficient facts connecting unidentified regulations to a constitutional violation. He also alleged retaliation but failed to identify constitutionally protected conduct or explain how it triggered the alleged retaliatory actions.

PROCEDURAL HISTORY

Plaintiff initiated the action on April 18, 2024. The magistrate judge screened the complaint and found no cognizable claims, permitting plaintiff to amend. Plaintiff filed a first amended complaint, after which the magistrate judge recommended dismissal with prejudice. Plaintiff objected, and the district court reviewed the matter de novo under 28 U.S.C. § 636(b)(1), adopted the findings and recommendations in full, dismissed the action with prejudice, and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Superintendent v. Hill, 472 U.S. 445, 455 (1985)
- Hines v. Gomez, 108 F.3d 265, 268-69 (9th Cir. 1997)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)

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