

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Bustamonte v. Castillon

Bustamonte v. Castillon · No. 22-cv-04725-VKD (PR) · Decided June 6, 2025

SUMMARY

The United States District Court for the Northern District of California granted defendants’ motion for summary judgment in a prisoner’s 42 U.S.C. § 1983 action arising from an alleged use of excessive force and deliberate indifference to serious medical needs. The court held that the plaintiff failed to exhaust administrative remedies for his deliberate-indifference claims against three defendants and that the evidence did not support a finding that the correctional officer used force maliciously and sadistically. The medical-care claims were dismissed without prejudice, while the excessive-force claim was dismissed with prejudice.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Virginia K. DeMarchi
JURISDICTION	United States District Court for the Northern District of California
DECIDED	June 6, 2025
DOCKET	22-cv-04725-VKD (PR)
DISPOSITION	other
PROCEDURAL POSTURE	Prisoner civil-rights action under 42 U.S.C. § 1983; defendants moved for summary judgment on claims for excessive force and deliberate indifference to serious medical needs.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute of material fact and the moving party is entitled to judgment as a matter of law. The evidence was viewed in the light most favorable to plaintiff, and the court assessed whether a reasonable jury could find for him.
PRECEDENTIAL VALUE	district court opinion; precedential status not stated

TOPICS

- section 1983
- prisoners rights
- summary judgment
- civil rights
- cruel and unusual punishment

PRACTICE AREAS

prisoner civil rights

constitutional litigation

federal civil procedure

QUESTIONS PRESENTED

1. Whether defendants were entitled to summary judgment on plaintiff's Eighth Amendment deliberate-indifference claims because he failed to properly exhaust available administrative remedies under the PLRA.
2. Whether Officer Castillon used excessive force in violation of the Eighth Amendment by firing a 40-millimeter launcher during the prison riot.
3. Whether defendants were entitled to qualified immunity.

HOLDINGS

1. Plaintiff failed to properly exhaust available administrative remedies because he did not appeal the adverse institutional-level health-care grievance disposition to the headquarters level as required by California prison grievance procedures.
2. Officer Castillon did not use excessive force because the undisputed evidence showed that he applied force in a good-faith effort to restore order during a prison riot, rather than maliciously and sadistically to cause harm.

KEY QUOTATIONS

"There is no question that exhaustion is mandatory under the PLRA and that unexhausted claims cannot be brought in court." (III.A)

"In excessive force cases brought under the Eighth Amendment, the relevant inquiry is 'whether force was applied in a good-faith effort to maintain or restore discipline, or maliciously and sadistically to cause harm.'" (III.B)

FACTUAL BACKGROUND

During a prison riot at Salinas Valley State Prison, Officer Castillon observed inmates fighting and issued repeated commands to stop. After the inmates continued fighting, he fired seven rounds from a less-than-lethal 40-millimeter launcher while aiming at authorized target zones, and ceased firing after the inmates complied. Plaintiff was struck in the face and suffered significant injuries requiring medical treatment, but he did not complete the required headquarters-level appeal of his health-care grievance concerning subsequent medical care.

PROCEDURAL HISTORY

The court previously found the verified amended complaint stated cognizable claims and ordered service. Defendants Castillon, Ssempebwa, Le, and Muriithi moved for summary judgment; plaintiff did not oppose, although the verified amended complaint was treated as an opposing affidavit. The court granted the motion,

dismissing the deliberate-indifference claims without prejudice for failure to exhaust administrative remedies and the excessive-force claim with prejudice.

DISPOSITION

other

CASES CITED

- Anderson v. Liberty Lobby, Inc., 477 U.S. 242 (1986)
- Celotex Corp. v. Catrett, 477 U.S. 317 (1986)
- Nissan Fire & Marine Insurance Co. v. Fritz Companies, Inc., 210 F.3d 1099 (9th Cir. 2000)
- Woodford v. Ngo, 548 U.S. 81 (2006)
- Booth v. Churner, 532 U.S. 731 (2001)
- Jones v. Bock, 549 U.S. 199 (2007)
- Fordley v. Lizarraga, 18 F.4th 344 (9th Cir. 2021)
- Hudson v. McMillian, 503 U.S. 1 (1992)
- Whitley v. Albers, 475 U.S. 312 (1986)
- Robins v. Meecham, 60 F.3d 1436 (9th Cir. 1995)