

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Sandford v. Sacramento Police Dept., et al.

Sandford v. Sacramento Police Dept., No. 2:25-cv-00106-DJC-CSK PS (E.D. Cal. May 30, 2025) (findings and recommendations) · No. 2:25-cv-00106-DJC-CSK PS · Decided June 2, 2025

SUMMARY

The United States District Court for the Eastern District of California recommends denying James Sandford’s application to proceed in forma pauperis and dismissing his complaint without leave to amend. The court concludes that the asserted 42 U.S.C. § 1983 claims arising from alleged conduct in 2009 are barred by the statute of limitations and that the complaint fails to satisfy Federal Rule of Civil Procedure 8. The recommendations also direct that the case be closed, subject to the parties’ right to file objections.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Chi Soo Kim
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 2, 2025
DOCKET	2:25-cv-00106-DJC-CSK PS
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a civil-rights complaint under 42 U.S.C. § 1983 and moved to proceed in forma pauperis. A magistrate judge screened the complaint and issued findings and recommendations that the IFP application be denied and the complaint be dismissed without leave to amend.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(e)(2)(B), an IFP action must be dismissed if it is frivolous or malicious, fails to state a claim, or seeks monetary relief from an immune defendant. The court accepts well-pleaded factual allegations as true, construes them in the plaintiff's favor, and liberally construes pro se pleadings, but need not accept conclusory allegations, unreasonable inferences, or unwarranted deductions. Dismissal at screening based on the statute of limitations is proper when untimeliness is apparent from the face of the complaint and the plaintiff cannot prevail on equitable tolling as a matter of law.

PRECEDENTIAL VALUE	nonprecedential
PARTIES	James Sandford v. Sacramento Police Dept., Brandon Mullock, City of Sacramento

TOPICS

section 1983 statute of limitations pleadings civil procedure due process

PRACTICE AREAS

civil rights federal civil procedure constitutional litigation in forma pauperis screening

QUESTIONS PRESENTED

1. Whether the complaint should be dismissed at the in forma pauperis screening stage as frivolous or failing to state a claim.
2. Whether Sandford's 42 U.S.C. § 1983 claims were barred by the applicable statute of limitations.
3. Whether the complaint satisfied Federal Rule of Civil Procedure 8's requirement of a short and plain statement showing entitlement to relief.
4. Whether leave to amend should be denied as futile.

HOLDINGS

1. A § 1983 claim in federal court is subject to California's two-year statute of limitations for personal-injury actions, and the claims were untimely because the alleged misconduct occurred in 2009 and Sandford had notice of the alleged misconduct no later than August 30, 2010.
2. Sandford failed to allege facts supporting equitable tolling of the limitations period.
3. The complaint failed to provide a short and plain statement with sufficient factual detail identifying what each defendant allegedly did and the legal basis for liability.
4. Leave to amend should be denied because amendment would be futile in light of the statute-of-limitations bar and the complaint's deficiencies.

KEY QUOTATIONS

"For the reasons that follow, the Court recommends Plaintiff's IFP application be denied, and the Complaint be dismissed without leave to amend." (at 1)

"Failure to comply with the applicable statute of limitations may be grounds for dismissal at the screening stage if it is apparent from the face of the complaint that the plaintiff cannot "prevail, as a matter of law, on the equitable tolling issue."" (at 4)

"Based upon the findings above, it is RECOMMENDED that: 1. Plaintiff's motion to proceed in forma pauperis (ECF No. 2) be DENIED; 2. Plaintiffs Complaint (ECF No. 1) be DISMISSED without leave to amend; and 3. The Clerk of the Court be directed to CLOSE this case." (at 5)

FACTUAL BACKGROUND

Sandford alleged that in March 2009 Officer Brandon Mullock submitted a police report containing false information and that Sandford was subjected to a full strip search while in custody. He asserted Fourth, Sixth, Eighth, and Fourteenth Amendment claims based on the search, alleged denial of a fair trial, excessive bail and punishment, wrongful incarceration, fines, drug classes, and other consequences. Sandford attached a 2010 letter from the Sacramento County District Attorney stating that the underlying case was being dismissed, but filed this action in 2025. He also made conclusory allegations of negligence involving Terra Nova and the DMV without describing supporting facts.

PROCEDURAL HISTORY

Sandford filed this action alleging constitutional violations arising from a March 2009 incident involving an allegedly false police report, a strip search, incarceration, bail, drug classes, and related consequences. The magistrate judge concluded that the claims were untimely, inadequately pleaded under Federal Rule of Civil Procedure 8, and not curable by amendment. The matter was referred to the assigned district judge for review under 28 U.S.C. § 636(b)(1), and the document recommended denial of IFP status, dismissal without leave to amend, and closure of the case.

DISPOSITION

other

CASES CITED

- Escobedo v. Applebees, 787 F.3d 1226, 1234 (9th Cir. 2015)
- Minetti v. Port of Seattle, 152 F.3d 1113, 1115 (9th Cir. 1998)
- Tripati v. First National Bank & Trust, 821 F.2d 1368, 1370 (9th Cir. 1987)
- McGee v. Department of Child Support Services, 584 F. App'x 638 (9th Cir. 2014)
- Smart v. Heinze, 347 F.2d 114, 116 (9th Cir. 1965)
- Lopez v. Smith, 203 F.3d 1122, 1126-27, 1130-31 (9th Cir. 2000) (en banc)
- Neitzke v. Williams, 490 U.S. 319, 325, 327 (1989)
- Von Saher v. Norton Simon Museum of Art at Pasadena, 592 F.3d 954, 960 (9th Cir. 2010), cert. denied, 564 U.S. 1037 (2011)
- Hebbe v. Pliler, 627 F.3d 338, 342 & n.7 (9th Cir. 2010)
- Western Mining Council v. Watt, 643 F.2d 618, 624 (9th Cir. 1981)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555-57, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Butler v. National Community Renaissance of California, 766 F.3d 1191, 1198 (9th Cir. 2014)
- Jones v. Blanas, 393 F.3d 918, 927-28 (9th Cir. 2005)
- Callins v. Mason, 2022 WL 1720951, at *2 (E.D. Cal. May 27, 2022)
- Watkins v. Singh, 2014 WL 2930536, at *1 (E.D. Cal. June 27, 2014)

- Wallace v. Kato, 549 U.S. 384, 388 (2007)
- Honchariw v. County of Stanislaus, 530 F. Supp. 3d 939, 949-50 (E.D. Cal. 2021)
- McDonald v. Antelope Valley Community College District, 45 Cal. 4th 88, 99-100 (2008)
- Cervantes v. City of San Diego, 5 F.3d 1273, 1276 (9th Cir. 1993)
- Kimes v. Stone, 84 F.3d 1121, 1129 (9th Cir. 1996)
- McHenry v. Renne, 84 F.3d 1172, 1178-80 (9th Cir. 1996)
- Cato v. United States, 70 F.3d 1103, 1105-06 (9th Cir. 1995)
- Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998)
- Martinez v. Yist, 951 F.2d 1153, 1156-57 (9th Cir. 1991)

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