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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TRAVIS SHANE NORTHCUTT,
Plaintiff,
v.
SACRAMENTO SHERIFF'S
DEPARTMENT, *et al.*,
Defendants.

Case No. 2:24-cv-2503-DJC-JDP (P)

ORDER

Plaintiff, a prisoner incarcerated at North Kern State Prison, brings this action against defendants Sacramento Sheriff's Department, the Napa Division of the Department of State Hospitals, and Harper Medical Group. ECF No. 1 at 1-2. The complaint is deficient for two reasons. First, plaintiff's allegations present at least two unrelated claims against more than one defendant and, thus, cannot proceed as one suit. Second, the complaint fails to adequately explain how any of the defendants are responsible for the allegations plaintiff raises. I will dismiss plaintiff's complaint with leave to amend so that he may remedy these deficiencies. I will grant his application to proceed *in forma pauperis*, ECF No. 2.

Screening Order

I. Screening and Pleading Requirements

A federal court must screen a prisoner's complaint that seeks relief against a governmental entity, officer, or employee. *See* 28 U.S.C. § 1915A(a). The court must identify any cognizable claims and dismiss any portion of the complaint that is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from a defendant who is immune from such relief. *See* 28 U.S.C. §§ 1915A(b)(1), (2).

A complaint must contain a short and plain statement that plaintiff is entitled to relief, Fed. R. Civ. P. 8(a)(2), and provide "enough facts to state a claim to relief that is plausible on its face," *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007). The plausibility standard does not require detailed allegations, but legal conclusions do not suffice. *See Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). If the allegations "do not permit the court to infer more than the mere possibility of misconduct," the complaint states no claim. *Id.* at 679. The complaint need not identify "a precise legal theory." *Kobold v. Good Samaritan Reg'l Med. Ctr.*, 832 F.3d 1024, 1038 (9th Cir. 2016). Instead, what plaintiff must state is a "claim"—a set of "allegations that give rise to an enforceable right to relief." *Nagrampa v. MailCoups, Inc.*, 469 F.3d 1257, 1264 n.2 (9th Cir. 2006) (en banc) (citations omitted).

The court must construe a pro se litigant's complaint liberally. *See Haines v. Kerner*, 404 U.S. 519, 520 (1972) (per curiam). The court may dismiss a pro se litigant's complaint "if it appears beyond doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief." *Hayes v. Idaho Corr. Ctr.*, 849 F.3d 1204, 1208 (9th Cir. 2017). However, "a liberal interpretation of a civil rights complaint may not supply essential elements of the claim that were not initially pled." *Bruns v. Nat'l Credit Union Admin.*, 122 F.3d 1251, 1257 (9th Cir. 1997) (quoting *Ivey v. Bd. of Regents*, 673 F.2d 266, 268 (9th Cir. 1982)).

II. Analysis

Plaintiff brings at least two separate claims. First, he alleges that, on an unspecified date in 2014, while at the Sacramento County Main Jail, he was forced to take medication to which he was allergic in retaliation for grievances he filed. ECF No. 1 at 3. He claims that this forced

1 medication continued when he was transferred Napa State Hospital. *Id.* Second, plaintiff alleges
2 that, between 2006 and 2014, he was repeatedly abused and assaulted during a different stint at
3 Napa State Hospital. *Id.* at 5. Plaintiff also alleges that, between 2021 and 2023, he “uncovered”
4 a child sex slave ring in Sacramento that he attempted to report. *Id.* at 4. He alleges that
5 numerous unnamed individuals worked to discredit his discovery. *Id.* I cannot tell how, if at all,
6 these fanciful allegations relate to his other claims or to the named defendants in this action.
7 Unrelated claims brought against more than one defendant belong in separate suits. *See* Fed. R.
8 Civ. P. 18(a); *George v. Smith*, 507 F.3d 605, 607 (7th Cir. 2007) (“Thus multiple claims against
9 a single party are fine, but Claim A against Defendant 1 should not be joined with unrelated
10 Claim B against Defendant 2.”).

11 Additionally, and at a more fundamental level, I cannot tell how any of the three entities
12 named as defendants in this action are implicated in any of the claims above. Rule 8 of the
13 federal rules of civil procedure requires that the complaint provide each defendant fair notice of
14 the claims against him or her. *See Biggins v. Wells Fargo & Co.*, 266 F.R.D. 399, 408 (N.D. Cal.
15 2009) (“One purpose of Rule 8 is to put a defendant on fair notice of the nature of the claims that
16 are asserted against it and the grounds upon which those claims rest.”). The current complaint
17 fails to do that.

18 Finally, I note that plaintiff has separately filed “supplemental documents” that appear to
19 relate to the initial complaint. ECF No. 9. A complaint must be complete in itself and not
20 submitted piecemeal. Plaintiff may include all relevant allegations and materials in his amended
21 complaint.

22 I will dismiss plaintiff’s complaint with leave to amend. Plaintiff is advised that any
23 amended complaint will supersede the current complaint. *See Lacey v. Maricopa County*, 693 F.
24 3d 896, 907 n.1 (9th Cir. 2012) (en banc). The amended complaint should be titled “Amended
25 Complaint” and refer to the appropriate case number.

26 Accordingly, it is ORDERED that:

- 27 1. Plaintiff’s request for leave to proceed *in forma pauperis*, ECF No. 2, is GRANTED.
- 28 2. Plaintiff’s complaint, ECF No. 1, is DISMISSED with leave to amend.

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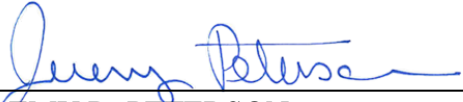
3. Within thirty days from service of this order, plaintiff shall file either (1) an amended complaint or (2) notice of voluntary dismissal of this action without prejudice.

4. Failure to timely file either an amended complaint or notice of voluntary dismissal may result in the imposition of sanctions, including a recommendation that this action be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(b).

5. The Clerk of Court shall send plaintiff a complaint form with this order.

IT IS SO ORDERED.

Dated: January 28, 2025



JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE