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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSE TRUJILLO,

Plaintiff,

v.

YASIR ALHUMIDI, *et al.*

Defendants.

No. 1:20-cv-00127-NONE-HBK

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, RECOMMENDING
THAT PLAINTIFF'S MOTION FOR DEFAULT
JUDGMENT BE GRANTED

(Doc. Nos. 17, 21)

On January 23, 2020, plaintiff Jose Trujillo filed a complaint against defendants Yasir Alhumidi d/b/a J Street Mini Mart, Juan Carlos d/b/a Jalisco's Tacos, Madram M. Shuaibi, and Nasser S. Shuaibi (collectively referred to as "Defendants"), pursuant to Title III of the Americans with Disabilities Act ("ADA"), 42 U.S.C. §§ 12101 *et seq*; the California Unruh Act, California Civil Code § 51 *et seq.*; and California Health & Safety Code §§ 19955, 19959. (Doc. No. 1). The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

Defendants did not answer or otherwise respond to plaintiff's complaint. (*See* docket). Accordingly, on March 13, 2020 and March 26, 2020, plaintiff requested a clerk's entry of default against the defendants which were then entered. (Doc. Nos. 9–14.) Thereafter, on July 15, 2020, plaintiff moved for a default judgment. (Doc. No. 17). On June 14, 2021, findings and

1 recommendations were issued recommending that plaintiff's motion be granted. (Doc. No. 63.)
2 Defendants have filed no objections and the time for doing so has passed. (*See* docket).

3 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this
4 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the
5 court finds the findings and recommendations to be supported by the record and proper analysis.

6 Accordingly,

- 7 1. The findings and recommendations issued by the magistrate judge on June 14,
8 2021 (Doc. No. 21) are adopted in full;
- 9 2. Plaintiff's motion for default judgment (Doc. No. 17) is granted;
- 10 3. Plaintiff is awarded statutory damages in the amount of \$4,000;
- 11 4. Plaintiff is awarded attorney's fees, litigation expenses and costs in the amount of
12 \$3,629.65;
- 13 5. Defendants are ordered to rectify all architectural barriers on their property so that
14 it provides accessible parking, sidewalk access and seating within the requirements
15 of the ADA; and
- 16 6. The Clerk of the Court is directed to enter judgment in favor of plaintiff and close
17 this case.

18 IT IS SO ORDERED.

19 Dated: July 20, 2021

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22 UNITED STATES DISTRICT JUDGE
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