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UNITED STATES DISTRICT COURT

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EASTERN DISTRICT OF CALIFORNIA

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JOSE ESCOBEDO,

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Plaintiff,

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v.

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EL RICONCITO MEXICAN GRILL, LLC,
and FLIPSIDE CHRISTIAN CHURCH,

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Defendants.

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Case No. 1:24-cv-1457 JLT SKO

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DECLINING
SUPPLEMENTAL JURISDICTION OVER
PLAINTIFF'S STATE LAW CLAIMS

(Doc. 6)

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Jose Escobedo seeks to hold the defendants liable for violations of Title III of the Americans with Disabilities Act; California's Unruh Act; and Health and Safety Code §§ 19955, 19959. (Doc. 1 at 5-9.) Following an order to show cause regarding jurisdiction (Doc. 4), the assigned magistrate judge issued Findings and Recommendations, recommending the Court decline to exercise supplemental jurisdiction over Plaintiff's state law claims and dismiss the claims without prejudice pursuant to 28 U.S.C. § 1367(c)(4). (Doc. 6.)

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The Court served the Findings and Recommendations on Plaintiff,¹ and informed him that any objections must be filed within 14 days of the date of service. (Doc. 6 at 7.) In addition, the Court informed Plaintiff that "failure to file objections within the specified time may result in the waiver of rights on appeal." (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did not file objections, and the time to do so has expired.

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¹ Defendants have not yet appeared in this action.

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According to 28 U.S.C. § 636(b)(1), this Court performed a *de novo* review of the case. Having carefully reviewed the matter, the Court concludes the Findings and Recommendations are supported by the record and proper analysis. Thus, the Court **ORDERS**:

1. The Findings and Recommendations issued on December 19, 2024 (Doc. 6) are **ADOPTED** in full.
2. The Court **DECLINES** to exercise supplemental jurisdiction over Plaintiff’s claims arising under California’s Unruh Act and Health & Safety Code.
3. Plaintiff’s claims for violations of the Unruh Act and Cal. Health & Safety Code § 19955 and § 19959 are **DISMISSED** without prejudice.

IT IS SO ORDERED.

Dated: January 5, 2025


UNITED STATES DISTRICT JUDGE