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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANIEL JAMES ALTSTATT and KIM  
EILEEN GLAZZARD,

Plaintiffs,

v.

CITY OF SACRAMENTO, et al.,

Defendants.

No. 2:18-cv-00150 JAM AC (PS)

ORDER

Plaintiff is proceeding in this action in pro per. The matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c)(21).

On May 21, 2018, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty-one days. ECF NO. 75. Plaintiff has filed objections to the findings and recommendations. ECF No. 79.

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

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed May 21, 2018, are adopted in full;

2. Hon. Kevin Culhane, Hon. Robert C. Hight and the Superior Court of the State of California’s motion to dismiss (ECF No. 21) is GRANTED and all claims against them are DISMISSED with prejudice;

3. Defendant Gov. Jerry Brown’s motion to dismiss (ECF No. 24) is GRANTED and all claims against him are DISMISSED with prejudice;

4. The City Employee Defendants’ motion to dismiss (ECF No. 48 (motion; see also ECF Nos. 51 and 59 (joinders)) are GRANTED and all claims are dismissed against them. State claims are dismissed with prejudice, and federal claims (the Fifth, Eighth, and Ninth cause of action) are dismissed with leave to amend as to any conduct occurring on or after January 23, 2016;

5. The City of Sacramento’s motion to dismiss (ECF No. 9) is GRANTED and all claims against the city DISMISSED. With limited to leave to amend plaintiffs’ Third, Fourth, Fifth, Eighth and Ninth causes of action for conduct occurring on or after January 23, 2016; and

6. Kip Proctor’s motion to dismiss (ECF No. 46) is GRANTED and all claims against him are dismissed with leave to amend, subject to the applicable statues of limitations (conduct occurring on or after January 23, 2016 for personal injury, January 23 2015 for trespass and January 23, 2017 for defamation).

DATED: July 2, 2018

/s/ John A. Mendez

UNITED STATES DISTRICT COURT JUDGE