

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Cherrish Castaneda v. State of California Department of Motor
Vehicles, et al.

No. 2:24-cv-0788-DC-SCR · No. 2:24-cv-00788 · Decided October 28, 2025

SUMMARY

The United States District Court for the Eastern District of California screens Plaintiff Cherrish Castaneda’s First Amended Complaint concerning her employment with the California Department of Motor Vehicles during the COVID-19 pandemic. The court maintains the dismissal of claims against the DMV that are barred by Eleventh Amendment immunity, permits amendment of deficient Title VII, FEHA, ADA, and Section 1983 claims, and finds that the First Amendment retaliation allegations are potentially cognizable but improperly directed at Defendant Steve Gordon. Service is deferred pending an opportunity to amend.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	October 28, 2025
DOCKET	2:24-cv-00788
DISPOSITION	other
PROCEDURAL POSTURE	Screening of pro se First Amended Complaint filed in forma pauperis under 28 U.S.C. § 1915(e)(2)
STANDARD OF REVIEW	Screening under 28 U.S.C. § 1915(e)(2) for frivolousness, failure to state a claim, or immunity from relief
PRECEDENTIAL VALUE	unpublished

TOPICS

- civil rights
- ada / disability
- employment discrimination
- religious discrimination
- section 1983
- sovereign immunity
- pleadings
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the DMV is immune from suit under the Eleventh Amendment for various claims
2. Whether Plaintiff states a claim for religious discrimination and retaliation under Title VII
3. Whether Plaintiff states a claim under the ADA for disability discrimination
4. Whether Plaintiff states a claim under 42 U.S.C. § 1983 for First and Fourteenth Amendment violations
5. Whether Plaintiff states a claim under the Genetic Information Nondiscrimination Act (GINA)
6. Whether Plaintiff states state law claims for breach of privacy or contract

HOLDINGS

1. Title VII validly abrogates state sovereign immunity for discrimination claims, so the DMV is an appropriate defendant for such claims if adequately pled.
2. Plaintiff failed to adequately plead a causal nexus between a sincerely held religious belief and her refusal to vaccinate, mask, or consent to testing.
3. Plaintiff failed to state a claim under the ADA because she did not establish she had a disability under the ADA, as her pregnancy-related conditions were not shown to be abnormal complications.
4. Plaintiff has alleged sufficient facts to find her speech was protected under the First Amendment and that adverse employment action was taken in retaliation, but the claim fails as to Defendant Gordon because he was not personally involved in the retaliation.
5. Plaintiff has pled sufficient facts to state a claim for breach of genetic information privacy against the DMV under GINA for screening purposes.

KEY QUOTATIONS

“Invocations of broad, religious tenets cannot, on their own, convert a secular preference into a religious conviction”

“to allow Plaintiff’s claim simply because she invokes the concepts of bodily autonomy and God in the same sentence ‘would destroy the pleading standard for religious discrimination claims, allowing complainants to invoke magic words and survive a dismissal without stating a prima facie case.’”

“Compulsory vaccination is an established police power of a state, and public health laws in general ‘further the concept of ordered liberty’ by balancing individual freedoms against public safety.”

FACTUAL BACKGROUND

Plaintiff, a former DMV employee, alleges she was sent on involuntary leave while pregnant during COVID-19 instead of being offered telework. Upon returning, she faced religious and medical objections to vaccine/mask/testing mandates. The DMV allegedly denied her accommodation requests, created a hostile work environment, and coerced her to consent to genetic testing by a third-party contractor. She was terminated for

refusal to consent. She later signed a settlement agreement under duress and filed this action alleging discrimination, retaliation, and privacy violations.

PROCEDURAL HISTORY

Plaintiff filed a pro se complaint and motion for leave to proceed in forma pauperis (IFP). The Court granted IFP status and screened the complaint, dismissing claims against the DMV and under 18 U.S.C. §§ 241-242, but granting leave to amend § 1983 and ADA claims against Defendant Gordon. Plaintiff filed a First Amended Complaint (FAC). The Court screens the FAC, finds some claims cognizable but others deficient, and grants leave to amend again.

DISPOSITION

other

CASES CITED

- Neitzke v. Williams, 490 U.S. 319 (1989)
- Von Saher v. Norton Simon Museum of Art at Pasadena, 592 F.3d 954 (9th Cir. 2010)
- Erickson v. Pardus, 551 U.S. 89 (2007)
- Scheuer v. Rhodes, 416 U.S. 232 (1974)
- Moss v. U.S. Secret Service, 572 F.3d 962 (9th Cir. 2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662 (2009)
- Akhtar v. Mesa, 698 F.3d 1202 (9th Cir. 2012)
- Alaska v. EEOC, 564 F.3d 1062 (9th Cir. 2009)
- Nevada Dept. of Human Resources v. Hibbs, 538 U.S. 721 (2003)
- Detwiler v. Mid-Columbia Medical Center, 2025 WL 2700000 (9th Cir. 2025)
- Bd. of Trustees of Univ. of Ala. v. Garrett, 531 U.S. 356 (2001)
- Thomas v. Nakatani, 309 F.3d 1203 (9th Cir. 2002)
- Walsh v. Nevada Dep't of Human Resources, 471 F.3d 1033 (9th Cir. 2006)
- Bates v. United Parcel Serv., Inc., 511 F.3d 974 (9th Cir. 2007)
- Mattoida v. Nelson, 98 F.4th 1164 (9th Cir. 2024)
- Hogan v. Ogden, 2008 WL 2954245 (E.D. Wash. 2008)
- Coates v. Washoe Cnty. Sch. Dist., 2020 WL 7186746 (E.D. Nev. 2020)
- Benavidez v. County of San Diego, 993 F.3d 1134 (9th Cir. 2021)
- Flores v. Morgan Hill Unified School District, 324 F.3d 1130 (9th Cir. 2003)
- Johnson v. Brown, 567 F.Supp.3d 1230 (D. Or. 2021)
- City of Cleburne v. Cleburne Living Ctr., 473 U.S. 432 (1985)
- Dodge v. Evergreen School District #114, 56 F.4th 767 (9th Cir. 2022)

- Johnson v. Poway Unified Sch. Dist., 658 F.3d 954 (9th Cir. 2011)
- Lane v. Franks, 573 U.S. 228 (2014)
- Pennhurst State Sch. & Hosp. v. Halderman, 465 U.S. 89 (1984)
- Spoklie v. Montana, 411 F.3d 1051 (9th Cir. 2005)
- McHenry v. Renne, 84 F.3d 1172 (9th Cir. 1996)
- Pacific Bell Tel. Co. v. Linkline Communications, Inc., 555 U.S. 438 (2009)

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