

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Carl Gordon v. Gavin Newsom

Gordon · No. CV 24-06476-MRA (AS) · Decided July 31, 2025

SUMMARY

The United States District Court for the Central District of California accepted a magistrate judge’s findings and recommendations concerning Carl Gordon’s First Amended Complaint against Gavin Newsom and other defendants. The court rejected Gordon’s objections, including challenges involving mootness, claim preclusion, judicial bias, alleged conflicts of interest, and due process. The court granted the motion to dismiss and dismissed the First Amended Complaint with prejudice.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Monica Ramirez Almadani
JURISDICTION	United States District Court for the Central District of California
DECIDED	July 31, 2025
DOCKET	CV 24-06476-MRA (AS)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed the magistrate judge's report and recommendation de novo after Plaintiff filed objections, accepted the recommendation, granted Defendants' motion to dismiss, and dismissed the First Amended Complaint with prejudice.
STANDARD OF REVIEW	De novo review of the portions of the magistrate judge's report and recommendation to which objections were directed, under 28 U.S.C. § 636(b)(1)(C) and Federal Rule of Civil Procedure 72(b).
PRECEDENTIAL VALUE	Unknown; district court order with no published reporter citation.
PARTIES	Carl Gordon v. Gavin Newsom and other defendants

TOPICS

- motions to dismiss
- res judicata
- qualified immunity
- due process
- election law

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the magistrate judge's report and recommendation should be accepted after de novo review of Plaintiff's objections.
2. Whether Plaintiff's prospective injunctive and declaratory claims were moot.
3. Whether Plaintiff's damages claims were barred by qualified immunity.
4. Whether Plaintiff's official-capacity claims were barred by claim preclusion.
5. Whether Plaintiff plausibly alleged judicial misconduct, fraud upon the court, judicial bias, or a disqualifying conflict of interest.
6. Whether Plaintiff's alleged federal due process right in the recall election was clearly established.
7. Whether the First Amended Complaint should be dismissed with prejudice.

HOLDINGS

1. The district court accepted the magistrate judge's findings and recommendations after conducting de novo review of the portions challenged by Plaintiff's objections.
2. Plaintiff's claims for prospective injunctive and declaratory relief were moot.
3. Plaintiff's damages claim was barred by qualified immunity.
4. Plaintiff's official-capacity claims were barred by claim preclusion because he had raised the challenges in Case No. CV 21-7270-FMO (MAR).
5. Plaintiff failed to establish judicial bias or partiality.

KEY QUOTATIONS

“IT IS ORDERED that (1) Defendants’ request for judicial notice is GRANTED; (2) Defendants’ motion to dismiss the First Amended Complaint is GRANTED; and (3) Plaintiff’s First Amended Complaint is DISMISSED WITH PREJUDICE.” (at 4)

FACTUAL BACKGROUND

Plaintiff challenged matters involving Governor Newsom, SB-152, and the recall election, asserting claims including due process and official-capacity claims. The court concluded that the requested prospective injunctive and declaratory relief was moot, that damages claims were barred by qualified immunity, and that official-capacity claims were barred by claim preclusion because Plaintiff had raised the challenges in Case No. CV 21-7270-FMO (MAR). Plaintiff also alleged judicial misconduct, fraud on the court, bias, and a conflict of interest, but the court found those allegations insufficient.

PROCEDURAL HISTORY

The magistrate judge recommended dismissal of the First Amended Complaint with prejudice. Plaintiff objected to the report, challenging its findings concerning judicial misconduct, Governor Newsom's alleged

disqualification, due process, mootness, claim preclusion, judicial bias, and judicial notice. After conducting de novo review under 28 U.S.C. § 636(b)(1)(C) and Federal Rule of Civil Procedure 72(b), the district court accepted the report and dismissed the action with prejudice.

DISPOSITION

dismissed

CASES CITED

- *Liteky v. United States*, 510 U.S. 540, 555 (1994)

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