

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Gardea v. State of California

No. 2:24-cv-03383-DAD-AC (PC) · No. 2:24-cv-03383-DAD-AC (PC) · Decided June 10, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted findings and recommendations granting the plaintiff's unopposed motion to remand. The court remanded the action to the Sacramento County Superior Court after the amended complaint eliminated the federal claim that supported removal, relying on the Supreme Court's decision in *Royal Canin U.S.A., Inc. v. Wullschleger*.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 ADRIANE GARDEA, No. 2:24-cv-03383-DAD-AC (PC) 12 Plaintiff, 13 v.
ORDER ADOPTING FINDINGS AND RECOMMENDATIONS AND REMANDING 14 STATE
OF CALIFORNIA, et al., THIS ACTION TO THE SACRAMENTO COUNTY SUPERIOR
COURT 15 Defendants. (Doc. Nos. 8, 11) 16 17 18 Plaintiff Adriane Gardea is a state prisoner
proceeding through counsel.

The matter was 19 referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)
(B) and Local Rule 20 302. 21 On January 13, 2025, the assigned magistrate judge issued findings
and recommendations 22 recommending that plaintiff's unopposed motion to remand this action
to the Sacramento County 23 Superior Court be granted. (Doc. No. 11 at 3.)

Specifically, the magistrate judge concluded that 24 because plaintiff's first amended complaint
deleted the Eighth Amendment claim that had been 25 asserted in her original complaint, it was
within the court's discretion whether to exercise 26 supplemental jurisdiction over plaintiff's
remaining state law claims. (Id. at 1–2.)

Because 27 defendants did not oppose remand and “this case is in its early stages,” the magistrate
judge 28 concluded that remand to state court was appropriate. (Id. at 2.) The pending findings
and 1 || recommendations were served on the parties and contained notice that any objections
thereto 2 | were to be filed within fourteen (14) days after service. Ud. at 3.)

To date, no objections to the 3 | findings and recommendations have been filed, and the time in
which to do so has now passed. 4 Two days after the pending findings and recommendations were
issued, on January 15, 5 | 2025, the Supreme Court issued its decision in *Royal Canin U. S. A.*,

Inc. v. Wulschleger, 604 F.3d 1122 (9th Cir. 2020), holding that “[w]hen an amendment excises the federal-law claims that enabled removal, the federal court loses its supplemental jurisdiction over the related state-law claims.

8 || The case must therefore return to state court.” 604 U.S. at 25. Consequently, the court will adopt 9 | the recommendation that this case be remanded to the Sacramento County Superior Court, while 10 | noting that it lacks discretion to do otherwise pursuant to the Supreme Court’s subsequent 11 | decision in Royal Canin. 12 Accordingly: 13 1.

The findings and recommendations issued on January 13, 2025 (Doc. No. 11) are 14 ADOPTED, as discussed in this order; 15 2. Plaintiff’s motion to remand (Doc. No. 8) is GRANTED; 16 3. This action is REMANDED to the Sacramento County Superior Court; and 17 4.

The Clerk of the Court is directed to CLOSE this case. 18 IT IS SO ORDERED. | Dated: _ June 9, 2025 Dae A. 2, gel 20 DALE A. DROZD UNITED STATES DISTRICT JUDGE 22 23 24 25 26 27 28