

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

OPINION

(PC) Gardea v. State of California

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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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 6 | USS. 22 (2025), holding that “[w]hen an
amendment excises the federal-law claims that enabled 7 | 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

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