

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

William Allen Garrett v. Sycuan Casino, et al.

William Allen Garrett v. Sycuan Casino, No. 3:25-cv-01596-JES-KSC (S.D. Cal. July 29, 2025) · No. 3:25-cv-01596-JES-KSC · Decided July 29, 2025

SUMMARY

The United States District Court for the Southern District of California denied William Allen Garrett’s application to proceed in forma pauperis and dismissed his complaint with prejudice. The court held that the new complaint, concerning an allegedly unpaid jackpot and adding an ADA discrimination claim, was materially the same as a previously dismissed action and did not overcome sovereign immunity or state a claim. The court also overruled Garrett’s objection concerning sovereign immunity as moot and directed the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	James E. Simmons Jr.
JURISDICTION	United States District Court for the Southern District of California
DECIDED	July 29, 2025
DOCKET	3:25-cv-01596-JES-KSC
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff proceeding pro se filed a complaint and an application to proceed in forma pauperis. The district court screened the complaint sua sponte and dismissed it with prejudice under 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A(b)(1), denying the in forma pauperis application and overruling Plaintiff's objection as moot.
STANDARD OF REVIEW	Sua sponte screening under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b)(1), including dismissal for failure to state a claim upon which relief may be granted.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	William Allen Garrett v. Sycuan Casino, Commissioner, Slot machine supervisor, Individual employees of Sycuan Casino sued in their official capacities

TOPICS

sovereign immunity tribal sovereignty ada / disability civil procedure pleadings

PRACTICE AREAS

Federal civil procedure Tribal sovereign immunity ADA and disability discrimination Civil rights

QUESTIONS PRESENTED

1. Whether the complaint stated a claim subject to screening under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b)(1).
2. Whether the newly asserted ADA-discrimination claim altered the prior conclusion that claims against Sycuan Casino and its officials were barred by sovereign immunity.
3. Whether amendment would be futile.

HOLDINGS

1. The complaint failed to state a claim upon which relief could be granted and was subject to dismissal under 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A(b)(1).
2. The new ADA-discrimination claim did not change the court's prior conclusion that the claims against Sycuan Casino and the associated officials were barred by sovereign immunity.
3. Amendment would be futile, so dismissal with prejudice was appropriate.

FACTUAL BACKGROUND

Garrett alleged that he won a \$2,335 jackpot at Sycuan Casino but was deprived of the winnings. In this action, he asserted due-process and ADA-discrimination claims against Sycuan Casino and associated individuals sued in their official capacities. The allegations substantially repeated those in his earlier dismissed action, with the ADA claim being the principal new cause of action.

PROCEDURAL HISTORY

Garrett previously filed a related complaint concerning an allegedly unpaid \$2,335 jackpot, which the court dismissed with prejudice after screening because Sycuan Casino was entitled to sovereign immunity. Garrett then filed this action concerning the same jackpot and allegations, adding an ADA-discrimination claim. The court concluded that the new claim did not alter the sovereign-immunity analysis, dismissed the complaint with prejudice, found amendment futile, denied the in forma pauperis application, and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Garrett v. Sycuan Casino, No. 3:24-cv-01296-JES-SBC, 2024 WL 3798398, at *2 (S.D. Cal. Aug. 13, 2024)
- Gonzalez v. Planned Parenthood of L.A., 759 F.3d 1112 (9th Cir. 2014)
- Bonin v. Calderon, 59 F.3d 815, 845 (9th Cir. 1995)

OPINION

Garrett v. Sycuan Casino

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 11 WILLIAM ALLEN GARRETT, Case No.: 3:25-cv-01596-JES-KSC 12 Plaintiff, ORDER:
13 v.

(1) DENYING APPLICATION TO

14 SYCUAN CASINO, et al.,

PROCEED IN FORMA PAUPERIS

15 Defendants. AND DISMISSING CASE WITH PREJUDICE; 16

17 (2) OVERRULING OBJECTION AS

MOOT

18 19 [ECF Nos. 2, 5] 20 On June 20, 2025, Plaintiff William Allen Garrett (“Plaintiff”) proceeding pro se, 21 filed a complaint alleging due process and ADA discrimination punishment naming 22 Defendant Sycuan Casino¹ and individual employees of Sycuan Casino in their official 23 24 25 1 The Court presumes Plaintiff means to refer to the Sycuan Band of the Kumeyaay Nation, which is a 26 “federally recognized tribe of Mission Indians from Southern California, located in an unincorporated area of San Diego County just east of El Cajon. The Sycuan band are a Kumeyaay tribe, one of the four ethnic 27 groups indigenous to San Diego County.” See https://en.wikipedia.org/wiki/Sycuan_Band_of_the_Kumeyaay_Nation (last visited August 10, 2024). 28 1 capacity. ECF No. 1 (“Compl.”). Plaintiff filed a Motion to Proceed In Forma Pauperis 2 (“IFP”). ECF No. 2. On July 7, 2025, Plaintiff filed an objection against sovereign 3 immunity. ECF No. 5. Upon review, the Court DENIES Plaintiff’s IFP request and 4 DISMISSES WITH PREJUDICE Plaintiff’s complaint under 28 U.S.C. § 1915(e). The 5 Court OVERRULES Plaintiff’s objection as MOOT. 6 Plaintiff previously filed a complaint regarding this matter. See 3:24-cv-01296-JES- 7 SBC, ECF No. 1. On July 25, 2024, Plaintiff, proceeding pro se, filed a complaint alleging 8 breach of contract, fourteenth amendment and due process violations naming Defendant 9 Sycuan Casino and individual employees of Sycuan Casino in their official capacity. Id. 10 Plaintiff filed a Motion to Proceed IFP in that case and the Court conducted a screening 11 pursuant to 28 U.S.C. § 1915(e)(2) and dismissed the case with prejudice since Sycuan 12 Casino is entitled to sovereign immunity. Garrett v. Sycuan Casino, No. 3:24-cv-01296- 13 JES-SBC, 2024 WL 3798398, at *2 (S.D. Cal. Aug. 13, 2024) (“Garrett I”). In Garrett I, 14 Plaintiff alleged

he was deprived of a \$2,335 jackpot won while at Sycuan Casino. Id. at 15 *1. 16 On June 20, 2025, Plaintiff once again filed a complaint against Sycuan Casino, a 17 commissioner and a slot machine supervisor alleging a due process violation and ADA 18 discrimination. Compl. at 5-8. This new complaint relates to the jackpot Plaintiff 19 previously alleged he won and was deprived of receiving. Id. at 7. The factual allegations 20 in this new case are the same as Garrett I and the only cause of action that is different is a 21 new cause of action for ADA discrimination. The Court previously dismissed Plaintiff's 22 initial case with prejudice, because Sycuan is entitled to sovereign immunity. See Garrett 23 I, 2024 WL 3798398, at *2. Plaintiff's new cause of action does not change that analysis. 24 25 26 27 Sycuan Casino is an Indian gaming casino owned by the Sycuan Tribe. See 28 l Thus, the Court concludes Plaintiff's complaint must be dismissed sua sponte for 2 ||failing to state a claim upon which relief can be granted pursuant to 28 U.S.C. §§ 3 1915(e)(2)(B)(i) and 1915A(b)(1). 4 For the foregoing reasons, the Court DISMISSES with prejudice Plaintiffs 5 ||Complaint in its entirety based on his failure to state a claim upon which relief may be 6 || granted pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(i) and 1915A(b)(1); and the Court finds 7 ||amendment would be futile. See *Gonzalez v. Planned Parenthood of L.A.*, 759 F.3d 1112, 8 (9" Cir. 2014) ("Futility of amendment can, by itself, justify the denial of ... leave 9 amend.") (quoting *Bonin v. Calderon*, 59 F.3d 815, 845 (9" Cir. 1995)). The Clerk of 10 || Court is directed to close this case. No further filings will be accepted on this case. 11 IT IS SO ORDERED. 12 Dated: July 29, 2025 13 4 we Sn— "4 A. 14 Honorable James E. Simmons Jr 15 United States District Judge 16 17 18 19 20 21 22 23 24 25 26 27 28