

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

OPINION

Garrett v. Sycuan Casino

PER CURIAM.

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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 I 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 (9th Cir. 2014) (“Futility of amendment can, by itself, justify the denial of ... leave 9 amend.”) (quoting *Bonin v. Calderon*, 59 F.3d 815, 845 (9th 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